

WEDNESDAY, APRIL 9, 1986

EIGHTY-EIGHTH LEGISLATIVE DAY

The House met at 9:00 a.m. and was called to order by Mr. Speaker McWherter.

The proceedings were opened with prayer by Brother Al Henson, LightHouse Baptist Church, Nashville, Tennessee.

Representative Clark (Davidson) led the House in the Pledge of Allegiance to the Flag.

The roll call was taken with the following results:

Present . . . . . 95

Representatives present were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Drew, Duer, Ellis, Frensley, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Hawkins, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore, Murphy, Murray, Naifeh, Nance, Napier, Patterson, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--95.

REPORT OF CHIEF ENGROSSING CLERK

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have

**WEDNESDAY, APRIL 9, 1986--88th LEGISLATIVE DAY**

transmitted to the Governor the following: House Bills Nos. 1011, 1192, 1246, 1588, 1661, 1670, 1682, 1686, 1731, 1769, 1799, 1912, 1992, 2019, 2024, 2029, 2030, 2031 and 2032; and House Joint Resolutions Nos. 608, 612, 613, 614, 615, 616, 617 and 628; for his action.

MARILYN EVELYN HAND,  
Chief Engrossing Clerk.

**REPORT OF CHIEF ENGROSSING CLERK**

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Bills Nos. 1671, 1743, 1802, 1883, 1945, 2013, 2016 and 2042; for his action.

MARILYN EVELYN HAND,  
Chief Engrossing Clerk.

**MESSAGE FROM THE GOVERNOR**

MR. SPEAKER:

I am directed by the Governor to return herewith: House Bills Nos. 1259, 1272, 1275, 1345, 1347, 1504, 1543, 1544, 1580, 1606, 1619, 1669, 1775, 1785, 1801, 1980, 1994, 1997, 2009, 2020, 2027, 2028, 2033, 2035 and 2037; House Joint Resolutions Nos. 197, 602 and 603, with his approval.

WILLIAM H. INMAN,  
Counsel to the Governor.

**MESSAGE FROM THE GOVERNOR**

MR. SPEAKER:

I am directed by the Governor to return herewith: House Bill No. 1331, without his signature.

WILLIAM H. INMAN,  
Counsel to the Governor.

Dear Speaker McWherter,

I am returning House Bill 1331/Senate Bill 1494 without my signature.

This bill would exempt certain labor organizations from the sales tax. There is no reason to exempt labor unions when associations representing manufacturers, state employees, nurses and engineers do not enjoy such preferential treatment.

**WEDNESDAY, APRIL 9, 1986--88th LEGISLATIVE DAY**

Exemptions like this erode the sales tax base and serve only to hasten the day when a tax rate increase or an alternative revenue source must be considered.

Sincerely

Lamar Alexander

House Bill No. 1331 becomes law without the Governor's signature, as authorized by Article III, Section 18 of the Constitution of the State of Tennessee.

**MESSAGE FROM THE SENATE**

MR. SPEAKER: I am directed to transmit to the House, Senate Bills Nos. 214, 771, 1172, 1280, 1375, 1390, 1443, 1509, 1533, 1573, 1598, 1639, 1822, 1839, 1852, 1861, 1890, 1904, 1911, 1958, 2003, 2022, 2040 and 2048; also, Senate Joint Resolutions Nos. 325 and 326; all for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**SIGNED**

The Speaker announced that he had signed the following: Senate Bills Nos. 214, 771, 1172, 1280, 1375, 1390, 1443, 1509, 1533, 1573, 1598, 1639, 1822, 1839, 1852, 1861, 1890, 1904, 1911, 1985, 2003, 2022, 2040 and 2048; and Senate Joint Resolutions Nos. 325 and 326.

**MESSAGE FROM THE SENATE**

MR. SPEAKER: I am directed to request the return of House Bill No. 1694, for further consideration.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

On motion of Mr. Rhinehart, House Bill No. 1694 was returned to the Senate as requested.

**MESSAGE FROM THE SENATE**

MR. SPEAKER: I am directed to request the return of House Bill No. 1600, for further consideration.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

On motion of Mr. McAfee, House Bill No. 1600 was returned to the Senate as requested.

STATEMENT ON HOUSE BILL NO. 1598

Mr. Speaker, I would request that the following remarks be spread upon the Journal:

When the third and final vote was taken on Monday, April 7 regarding HB 1598, I came into the Chamber from an emergency phone call from my family. I thought I was voting on the previous question and that is why I voted aye. I did not realize at the time I was voting on HB 1598 on third and final consideration. I would like for the Journal to reflect that it was my intention to vote no on HB 1598 on third and final consideration.

Maria Peroulas.

REPORTS OF STANDING COMMITTEES

FINANCE, WAYS AND MEANS

MR. SPEAKER: Your Committee on Finance, Ways and Means begs leave to report that we have carefully considered and recommend for passage: House Bills Nos. 226, 770 (with amendment), 812 (with amendment), 821, 1181 (with amendment), 1608 (with amendment); Senate Bill No. 1773 and House Bill No. 1814 and further recommend that pursuant to House Rule No. 80, House Bills Nos. 1450, 1579 and House Joint Resolution No. 485 be referred to the Clerk's Desk.

BRAGG, Chairman.

Under the rules, House Bills Nos. 226, 770, 812, 821, 1181, 1608; Senate Bill No. 1773; and House Bill No. 1814 were transmitted to the Committee on Calendar and Rules.

House Bills Nos. 1450 and 1579, and House Joint Resolution No. 485 were held on the Clerk's desk.

BILL RECALLED

Mr. Davis (Cocke) moved that Rules No. 77 be suspended for the purpose of recalling House Bill No. 2039 from the Committee on Finance, Ways and Means.

Mr. Naifeh moved the previous question, on the motion, which motion failed by the following vote:

Ayes . . . . .	49
Noes . . . . .	31
Present and not voting . . . . .	1

Representatives voting aye were: Bell, Bragg, Buck, Burnett, Byrd, Collier, Copeland, Crain, Cross, Curlee, Darnell, Davidson, Davis (Gibson), Ellis, Frensley, Garrett, Gill, Hassell, Henry, Hillis, Hobbs, Ivy, Jared, Kisber, Love, Miller, Moody, Naifeh, Nance,

## WEDNESDAY, APRIL 9, 1986--88th LEGISLATIVE DAY

Napier, Patterson, Peroulas, Phillips, Pruitt, Rhinehart, Robinson (Hamilton), Shirley, Stafford, Stallings, Tankersley, Tanner, Turner, L. (Shelby), Webb, West, Wheeler, Williams, Winningham, Work and Mr. Speaker McWherter--49.

Representatives voting no were: Bivens, Brewer, Chiles, Clark (Davidson), Clark (Sumner), Davis (Cocke), Davis (Knox), DeBerry, Drew, Duer, Gafford, Harrill, Hawkins, Hurley, Huskey, Jones, Kent, King, May, McAfee, McCroskey, McNally, Murray, Ridgeway, Robinson (Washington), Scruggs, Severance, Swann, Ussery, Whitson, Wolfe and Wood--32.

Representative present and not voting was: Lawson--1.

Thereupon, the motion to recall House Bill No. 2039 prevailed by the following vote:

Ayes . . . . .	75
Noes . . . . .	9
Present and not voting . . . . .	3

Representatives voting aye were: Bell, Bewley, Bivens, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Collier, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), Dills, Drew, Duer, Frensley, Gafford, Gaia, Garrett, Harrill, Hassell, Hawkins, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, King, May, McAfee, McCroskey, McNally, Miller, Montgomery, Murphy, Murray, Nance, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Washington), Scruggs, Severance, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Ussery, Webb, West, Whitson, Williams, Winningham, Wix, Wolfe, Wood and Yelton--75.

Representatives voting no were: Bragg, Burnett, Ellis, Gill, Kernell, Naifeh, Napier, Robinson (Hamilton) and Turner, L. (Shelby)--9.

Representatives present and not voting were: Love, Patterson and Shirley--3.

Mr. Speaker McWherter placed House Bill No. 2039 at the heel of the Calendar for today.

### CALENDAR

House Bill No. 1949--To authorize bond issue, educational facilities.

Mr. Dixon moved that House Bill No. 1949 be passed on third and final consideration.

Mr. Bragg moved to amend as follows:

**WEDNESDAY, APRIL 9, 1986--88th LEGISLATIVE DAY**

**AMENDMENT NO. 1**

Amend House Bill No. 1949 by deleting the words and figures "ten million dollars (\$10,000,000)" in Section 1 and by substituting instead the words "four million four hundred thousand dollars (\$4,400,000)".

On motion, the amendment was adopted.

Thereupon, House Bill No. 1949, as amended, passed its third and final consideration by the following vote:

Ayes . . . . .	78
Noes . . . . .	13
Present and not voting . . . . .	2

Representatives voting aye were: Bell, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Clark (Davidson), Clark (Sumner), Cobb, Collier, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Gaia, Garrett, Gill, Hassell, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Love, May, McCroskey, McNally, Miller, Montgomery, Murphy, Murray, Naifeh, Nance, Napier, Patterson, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Scruggs, Stallings, Starnes, Swann, Tankersley, Tanner, Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Whitson, Williams, Winningham, Wix, Work, Yelton and Mr. Speaker McWherter--78.

Representatives voting no were: Bewley, Chiles, Davis (Knox), Frensey, Gafford, Harrill, Hawkins, Lawson, McAfee, Robinson (Washington), Stafford, Wolfe and Wood--13.

Representatives present and not voting were: Severance and Shirley--2.

A motion to reconsider was tabled.

Mr. Speaker McWherter relinquished the Chair to Mr. Bivens, Speaker pro tem.

Mr. Frensey moved that House Bill No. 1721 be re-referred to the Committee on Calendar and Rules, which motion prevailed.

Mr. Ridgeway moved that House Bill No. 2007 be placed on the next Calendar, which motion prevailed.

House Bill No. 1232--To provide services and protection, indigent defendants.

Mr. Murphy moved that House Bill No. 1232 be passed on third and final consideration.

**WEDNESDAY, APRIL 9, 1986--88th LEGISLATIVE DAY**

Mr. Murphy moved to amend as follows:

**AMENDMENT NO. 1**

Amend House Bill No. 1232 by deleting Section 1 in its entirety and substituting in lieu thereof the following:

SECTION 1. There is hereby created a pilot project in the state of Tennessee for the twenty-third (23rd), twenty-seventh (27th) and seventh (7th) judicial districts, for the purpose of providing legal counsel to certain indigent persons as is in this act provided.

AND FURTHER AMEND by deleting subsection (a) in Section 3 in its entirety, and by substituting in lieu thereof the following:

(a) For each judicial district specified in this act, the offices of district public defender and district investigator are hereby created.

AND FURTHER AMEND by deleting the following language in subsection (b) of Section 3:

eight (8)

and by substituting in lieu thereof:

four (4)

AND FURTHER AMEND by deleting items (1) and (2) in subsection (c) of Section 3 and by renumbering the items accordingly.

AND FURTHER AMEND by deleting the following language in subsection (7) of Section 4:

state public defender general, assistant state public defender,

AND FURTHER AMEND by deleting Section 5 in its entirety and by renumbering the sections accordingly.

AND FURTHER AMEND by adding the following to Section 6 to be designated as subsections (d) and (e) and by relettering the subsections accordingly:

(d) The district public defender shall have the duty and responsibility of handling all appeals filed by the indigent person whom they represented in the appellate courts of this state.

(e) When the court of criminal appeals affirms the judgment of the lower court upon appeal by an indigent person, the district public defender shall advise such person of his right to

**WEDNESDAY, APRIL 9, 1986--88th LEGISLATIVE DAY**

file a petition for a writ of certiorari in the supreme court of Tennessee and shall represent him in so doing if he elects to seek such further appellate review.

AND FURTHER AMEND by deleting subsection (d) in Section 7 in its entirety and by substituting in lieu thereof the following:

(d) If the court determines that the person is indigent, as defined in Section 2, and the person has not waived the right to counsel, the court shall make and sign an order appointing the district public defender, or such other appointed counsel as provided by law, to represent the person. The original of the order shall be filed with the papers of the cause, and if the court is one of record the order shall also be entered upon its official minutes.

AND FURTHER AMEND by deleting subsection (e) in Section 7 in its entirety and by substituting in lieu thereof the following:

(e) In any case or proceeding wherein there is more than one (1) indigent person accused, one such person shall be represented by the district public defender's office, and the court shall appoint an attorney to represent such other indigent persons.

AND FURTHER AMEND by deleting Section 10 in its entirety and by renumbering the sections accordingly.

AND FURTHER AMEND by deleting Sections 13 through 23 in their entirety and by renumbering the sections accordingly.

On motion, the amendment was adopted.

Mr. Murphy moved to amend as follows:

**AMENDMENT NO. 2**

Amend House Bill No. 1232 by deleting the words and numerals "July 1, 1986" and substituting instead the words and numerals "September 1, 1986".

On motion, the amendment was adopted.

Mr. Murphy moved to amend as follows:

**AMENDMENT NO. 3**

Amend House Bill No. 1232 by deleting the following language in Section 3 (c)(1) as amended by House Judiciary Amendment No. 1 (the old subpart 3):

"the same compensation as district attorneys general."



**WEDNESDAY, APRIL 9, 1986--88th LEGISLATIVE DAY**

and substituting in lieu thereof the following:

"compensation equal to seventy percent (70%) of the compensation received by district attorneys general pursuant to Tennessee Code Annotated, Section 8-7-105 (b)."

AND FURTHER AMEND by deleting the following language in Section 3(c)(2) as amended by House Judiciary Amendment No. 1 (the old subpart 4):

"the same compensation as assistant district attorneys general."

and substitute in lieu thereof the following:

"the same compensation as assistant district attorneys general pursuant to Tennessee Code Annotated, Section 8-7-201 (c). Provided, however, that no such salary shall be increased after such increase results in a salary for such assistant district public defenders which is equal to ninety-five percent (95%) of the salary authorized by law for district public defenders."

AND FURTHER AMEND Section 3(c) by deleting subpart (4) (the old subpart 6) in its entirety.

On motion, the amendment was adopted.

Mr. Napier moved to amend as follows:

**AMENDMENT NO. 4**

Amend House Bill No. 1232 by adding a new section to read as follows:

**SECTION \_\_\_\_.** Effective September 1, 1987 in addition to the judicial districts enumerated in Section 1 there is hereby created a project in the State of Tennessee for the third (3rd), twenty-second (22nd), and twenty-fifth (25th) judicial districts for the purpose of providing a legal counsel to certain indigent persons as in this Act is provided.

On motion, the amendment was adopted.

Thereupon, House Bill No. 1232, as amended, passed its third and final consideration by the following vote:

Ayes . . . . .	74
Noes . . . . .	25

Representatives voting aye were: Bell, Bivens, Brewer, Buck, Burnett, Byrd, Clark (Davidson), Cobb, Collier, Copeland, Covington, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), DeBerry, DePriest, Dills, Dixon, Drew, Ellis, Frensley, Gafford, Gaia, Garrett, Gill, Hassell, Hillis, Hobbs, Huskey, Ivy, Jared, Jones,

## **WEDNESDAY, APRIL 9, 1986--88th LEGISLATIVE DAY**

Kent, Kernell, King, Kisber, Love, May, McNally, Miller, Montgomery, Moody, Moore, Murphy, Murray, Naifeh, Nance, Napier, Patterson, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Severance, Stafford, Stallings, Starnes, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Webb, West, Williams, Winningham, Wolfe, Work, Yelton and Mr. Speaker McWherter --74.

Representatives voting no were: Bewley, Bragg, Chiles, Clark (Sumner), Crain, Davis (Knox), Duer, Harrill, Hawkins, Henry, Hurley, Lawson, McAfee, McCroskey, Peroulas, Robinson (Washington), Scruggs, Shirley, Swann, Tankersley, Ussery, Wheeler, Whitson, Wix and Wood --25.

A motion to reconsider was tabled.

Mr. Love moved that House Bill No. 1479 be placed on the next Calendar, which motion prevailed.

On motion of Mr. Wood, House Bill No. 1605 was withdrawn from the House.

Senate Bill No. 433--To regulate soil erosion programs.

Mr. Moore moved that Senate Bill No. 433 be passed on third and final consideration.

Mr. Collier moved to amend as follows:

### **AMENDMENT NO. 1**

Amend Senate Bill No. 433 by deleting Sections 6 and 7 in their entirety, and by substituting instead the following:

SECTION 6. In addition to all other license fees imposed on the privilege of hunting and fishing, there is levied an additional license fee for the sole purpose of effectuating the purposes of this act of two dollars (\$2.00) for each combination hunting and fishing license. The fee levied by this section shall be repealed June 30, 1996, and shall no longer be levied after such date.

SECTION 7. The revenue generated by the additional fee levied by the provisions of Section 6 of this act shall be credited to a special agency account in the state general fund known as the "1986 Wetland Acquisition Fund". Expenditures from such fund shall only be made to implement and effectuate the purposes of this act. Any excess funds remaining in such special agency account at the end of each fiscal year shall revert to the state general fund, and the "1986 Wetland Acquisition Fund" shall be abolished on June 30, 1996, and shall cease to exist.

## WEDNESDAY, APRIL 9, 1986--88th LEGISLATIVE DAY

Mr. Stafford moved that Amendment No. 1 be tabled, which motion prevailed by the following vote:

Ayes . . . . .	70
Noes . . . . .	17
Present and not voting . . . . .	4

Representatives voting aye were: Bell, Bewley, Bivens, Brewer, Chiles, Clark (Davidson), Clark (Sumner), Copeland, Covington, Crain, Cross, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dills, Dixon, Drew, Duer, Gafford, Gaia, Gill, Hawkins, Henry, Hillis, Hurley, Huskey, Ivy, Jones, Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, McNally, Miller, Montgomery, Moore, Murphy, Murray, Naifeh, Napier, Patterson, Peroulas, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Scruggs, Severance, Stafford, Stallings, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, L. (Shelby), Ussery, Wheeler, Whitson, Williams, Wix, Wolfe, Wood and Yelton--70.

Representatives voting no were: Burnett, Collier, Curlee, Darnell, DePriest, Ellis, Harrill, Hassell, McCroskey, Moody, Nance, Robinson (Washington), Shirley, Turner, C. (Shelby), Webb, West and Work--17.

Representatives present and not voting were: Bragg, Byrd, Frensey and Hobbs--4.

Mr. Stafford moved to amend as follows:

### AMENDMENT NO. 2

Amend Senate Bill No. 433 by deleting Sections 6 and 7 in their entirety, and by substituting instead the following;

SECTION 6. In addition to all other taxes levied on alcoholic beverages sold for consumption on the premises, there is levied an additional privilege tax for the sole purpose of effectuating the purposes of this act of two and one-half percent (2 1/2%) of the sales price of alcoholic beverages sold for consumption on the premises. The provisions of Section 57-4-301 (e) shall also apply to the tax levied by this section in the same manner as it applies to other such taxes. The tax levied by this section shall be repealed - June 30, 1996, and shall no longer be levied after such date.

SECTION 7. The revenue generated by the additional tax levied by the provisions of Section 6 of this act shall be credited to a special agency account in the state general fund known as the "1986 Wetland Acquisition Fund". Expenditures from such fund shall only be made to implement and effectuate the purposes of this act. Any excess funds remaining in such special agency account at the end of each fiscal year shall revert to the state general fund, and the "1986 Wetland Acquisition Fund" shall be abolished on June 30, 1996, and shall cease to exist.

**WEDNESDAY, APRIL 9, 1986--88th LEGISLATIVE DAY**

Mr. Stafford requested that the following memorandum be read and spread upon the Journal:

**MEMORANDUM**

**TO:** Representative U.A. Moore  
**FROM:** James A. Clodfelter  
**RE:** House Bill 145/Senate Bill 433

This memorandum is in response to your request for a formal written opinion of this office on the following issue:

Whether the caption of House Bill 145/Senate Bill 433 is broad enough to support a tax on alcoholic beverages or tobacco products to fund the wetlands program.

It is the opinion of this office that the caption of House Bill 145/Senate Bill 433 is not broad enough to support a tax on alcoholic beverages or tobacco products.

The object of the provision as to the one subject of legislation is to prevent surprise or fraud upon the legislature, by means of provisions in bills of which the titles give no intimation, and which might, therefore, be overlooked and carelessly and unintentionally adopted. *Cannon v. Mathes*, 55 Tenn. 504 (1872); *Hyman v. State*, 87 Tenn. 109, 9 S.W. 372. And to fairly apprise the people of the subjects of legislation that are being considered. *Hyman v. State*, 87 Tenn. 109, 9 S.W. 372.

The evil intended to be remedied was to prevent laws upon other subjects from being tacked on to a bill upon a wholly different subject, which tacked on laws in this way sometimes elude the attention of the legislature and are passed without sufficient consideration, and when passed often remain for sometime undiscovered, for the reason that the title of act fails to call attention to the same. *State v. Lasater*, 68 Tenn. 584 (1877); *Garvin v. State*, 81 Tenn. 162 (1884); *State v. Hayes*, 116 Tenn. 40, 93 S.W. 98 (1905).

Legislation upon different subjects, and upon subjects not indicated in the title of the act are forbidden, but it was not intended that every provision or feature of the law should constitute a different subject so as to make it necessary to pass separate acts in regard to each; nor was it intended that the title should express fully everything contained in the act. *State v. Lasater*, 68 Tenn. 584 (1877).

Mr. Rhinehart moved that Amendment No. 2 be tabled, which motion failed by the following vote:

**WEDNESDAY, APRIL 9, 1986--88th LEGISLATIVE DAY**

Ayes . . . . .	42
Noes . . . . .	45
Present and not voting . . . . .	2

Representatives voting aye were: Bivens, Bragg, Brewer, Chiles, Clark (Davidson), Cobb, Covington, Crain, DeBerry, Dills, Dixon, Ellis, Frensley, Gaia, Gill, Hillis, Kent, Kernell, King, Kisber, Love, May, McNally, Miller, Moore, Murphy, Murray, Naifeh, Patterson, Phillips, Pruitt, Rhinehart, Robinson (Hamilton), Severance, Stallings, Tankersley, Tanner, Turner (Hamilton), Turner, L. (Shelby), West, Wheeler and Williams--42.

Representatives voting no were: Bell, Bewley, Buck, Burnett, Clark (Sumner), Collier, Copeland, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DePriest, Duer, Gafford, Harrill, Hassell, Hawkins, Henry, Hobbs, Hurley, Huskey, Ivy, Lawson, McAfee, McCroskey, Montgomery, Moody, Nance, Napier, Peroulas, Ridgeway, Robinson (Washington), Scruggs, Shirley, Stafford, Webb, Whitson, Winningham, Wolfe, Wood, Work and Yelton--45.

Representatives present and not voting were: Byrd and Jones--2.

Mr. Shirley moved the previous question, which motion failed by the following vote:

Ayes . . . . .	46
Noes . . . . .	42
Present and not voting . . . . .	1

Representatives voting aye were: Bell, Bewley, Buck, Burnett, Clark (Davidson), Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Gibson), Davis (Knox), Dixon, Frensley, Gafford, Gaia, Garrett, Hobbs, Hurley, Huskey, Ivy, Jared, Lawson, McAfee, Miller, Moody, Murray, Naifeh, Nance, Napier, Peroulas, Rhinehart, Robinson (Washington), Severance, Shirley, Stafford, Stallings, Swann, Turner, L. (Shelby), Webb, Whitson, Winningham, Wolfe, Wood and Work--46.

Representatives voting no were: Bivens, Bragg, Byrd, Clark (Sumner), Cobb, Covington, DeBerry, DePriest, Drew, Gill, Harrill, Hassell, Hawkins, Henry, Hillis, Jones, Kent, Kernell, King, Kisber, Love, May, McCroskey, McNally, Montgomery, Murphy, Patterson, Phillips, Pruitt, Ridgeway, Robinson (Hamilton), Scruggs, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), West, Wheeler, Williams, Wix and Yelton--42.

Representative present and not voting was: Brewer--1.

On motion Senate Bill No. 433 was placed ten places down on today's Calendar.

House Bill No. 1767--To provide for enforcement of child support.

WEDNESDAY, APRIL 9, 1986--88th LEGISLATIVE DAY

On motion, House Bill No. 1767 was made to conform with Senate Bill No. 1489.

On motion, Senate Bill No. 1489, on same subject, was substituted for House Bill No. 1767.

Ms. Williams moved that Senate Bill No. 1489 be passed on third and final consideration.

Mr. Murphy moved to amend as follows:

AMENDMENT NO. 1

Amend Senate Bill No. 1489 by adding a new section before the effective date section to read as follows:

SECTION ( ). Tennessee Code Annotated, Section 36-5-101(a)(4) is amended by deleting the word "working" from the third sentence of the existing language.

On motion, the amendment was adopted.

Ms. Williams moved to amend as follows:

AMENDMENT NO. 2

Amend Senate Bill No. 1489 by inserting the following new section before the effective date section and by renumbering the effective date section accordingly:

Section \_\_\_\_\_. If any provisions of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision application, and to that end the provisions of this act are declared to be severable

On motion, the amendment was adopted.

Thereupon, Senate Bill No. 1489, as amended, passed its third and final consideration by the following vote:

Ayes . . . . .	90
Noes . . . . .	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Cobb, Collier, Copeland, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Drew, Duer, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Hawkins, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, McCroskey, Miller, Montgomery, Moore, Murphy, Murray, Naifeh, Nance, Napier, Patterson, Peroulas, Phillips,

## WEDNESDAY, APRIL 9, 1986--88th LEGISLATIVE DAY

Pruitt, Rhinehart, Ridgeway, Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter --90.

A motion to reconsider was tabled.

### RULES SUSPENDED

Mr. Collier moved that the rules be suspended for the purpose of considering House Bill No. 1540 out of order, which motion prevailed.

House Bill No. 1540--To make certain provisions, contractors.

Mr. Collier moved that the Speaker appoint a Conference Committee to meet with a like committee from the Senate to resolve the differences between the House and Senate on House Bill No. 1540, which motion prevailed.

### APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed Representatives Collier, Ivy, Hobbs, Covington and Clark (Sumner) as the Conference Committee on House Bill No. 1540.

House Bill No. 1537--To regulate garnishment proceedings.

On motion, House Bill No. 1537 was made to conform with Senate Bill No. 1657.

On motion, Senate Bill No. 1657, on same subject, was substituted for House Bill No. 1537.

Ms. Williams moved that Senate Bill No. 1657 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes . . . . .	92
Noes . . . . .	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Cobb, Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Drew, Duer, Frensley, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Hawkins, Henry, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kernell, King, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moore, Murphy, Murray, Naifeh, Nance, Napier, Patterson, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler,

WEDNESDAY, APRIL 9, 1986--88th LEGISLATIVE DAY

Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--92.

A motion to reconsider was tabled.

Mr. Davis moved that House Bill No. 428 be placed on the next Calendar which motion prevailed.

On motion of Mr. Rhinehart, House Bill No. 1684 was withdrawn from the House.

Mr. Turner, C. (Shelby) moved that House Bill No. 1553 be placed on the next Calendar, which motion prevailed.

Mr. Cobb moved that Senate Bill No. 1965 be placed on the next Calendar, which motion prevailed.

Mr. Starnes moved that House Bills Nos. 1650 and 1644 be placed on the next Calendar, which motion prevailed.

Mr. Whitson moved that House Bill No. 1165 be placed on the next Calendar, which motion prevailed.

House Bill No. 1938--To amend distribution formula, certain taxes.

Mr. Naifeh moved that House Bill No. 1938 be passed on third and final consideration.

Mr. Naifeh moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 1938 by deleting SECTION 1 and replacing it with the following:

SECTION 1. Tennessee Code Annotated, Section 67-3-617, Subsection (c), is amended by deleting Subdivision (3) in its entirety.

On motion, the amendment was adopted.

Thereupon, House Bill No. 1938, as amended, passed its third and final consideration by the following vote:

Ayes . . . . .	93
Noes . . . . .	0

Representatives voting aye were: Bell, Bewley, Bivens, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Cobb, Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Drew, Duer, Ellis, Frensley, Gaia, Garrett, Gill, Harrill, Hassell, Hawkins,



Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore, Murphy, Murray, Naifeh, Nance, Napier, Patterson, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--93.

A motion to reconsider was tabled.

House Bill No. 1986--To create the State Capitol Commission.

On motion, House Bill No. 1986 was made to conform with Senate Bill No. 1982.

On motion, Senate Bill No. 1982, on same subject, was substituted for House Bill No. 1986.

Mr. Bragg moved that Senate Bill No. 1982 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes . . . . .	93
Noes . . . . .	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Drew, Duer, Ellis, Frensey, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Hawkins, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, McNally, Miller, Montgomery, Moody, Moore, Murphy, Murray, Naifeh, Nance, Napier, Patterson, Peroulas, Phillips, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Swann, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--93.

A motion to reconsider was tabled.

## REPORT OF COMMITTEE ON CALENDAR AND RULES

MR. SPEAKER: Your Committee on Calendar and Rules beg leave to report that we have met and set the following additional bills on the Calendar for Wednesday, April 9, 1986: House Bills Nos. 770, 1723, 1702, 821, 1181, 1667, Senate Bill No. 1773, House Joint Resolution No. 620, House Bills Nos. 812, 226, 1947, House Joint Resolution No. 471, House Resolution No. 104, House Joint Resolutions Nos. 527, 653,

509, 610, House Bill No. 998, and Senate Bill No. 2047.

GILL, Chairman.

RULES SUSPENDED

Mr. Gill moved that House Rule 48 be suspended for the purpose of considering additional bills on the House Calendar for today.

Mr. Copeland requested a division of the question on the rule suspension relative to House Bill No. 226.

The Clerk stated that the Division would be as follows:

Division I - All additional bills except House Bill No. 226.

Division II - House Bill No 226

Mr. Gill moved that Division I of the rule suspension be adopted, which motion prevailed by the following vote:

Ayes . . . . .	89
Noes . . . . .	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Clark (Davidson), Cobb, Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Drew, Ellis, Frensley, Gafford, Garrett, Gill, Harrill, Hassell, Hawkins, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moore, Murphy, Murray, Naifeh, Nance, Napier, Patterson, Peroulas, Phillips, Pruitt, Rhinehart, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work and Yelton--89.

Mr. Gill moved that Division II of the rule suspension be adopted, which motion prevailed by the following vote:

Ayes . . . . .	69
Noes . . . . .	21

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Clark (Davidson), Clark (Sumner), Collier, Covington, Crain, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DePriest, Dixon, Drew, Duer, Frensley, Gafford, Gaia, Garrett, Gill, Hawkins, Henry, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Love, May, McCroskey, McNally, Montgomery, Murray, Naifeh, Nance, Napier, Patterson, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson

**WEDNESDAY, APRIL 9, 1986--88th LEGISLATIVE DAY**

(Washington), Scruggs, Severance, Stafford, Stallings, Swann, Tanner, Turner, L. (Shelby), Ussery, Webb, Wheeler, Williams, Wood, Work and Yelton--69.

Representatives voting no were: Chiles, Copeland, Cross, Curlee, Dills, Ellis, Hassell, Lawson, McAfee, Miller, Murphy, Robinson (Hamilton), Shirley, Starnes, Turner (Hamilton), Turner, C. (Shelby), West, Whitson, Winningham, Wix and Wolfe--21.

Mr. Moore moved that Senate Bill No. 1449 be re-referred to the Committee on Calendar and Rules, which motion prevailed.

House Bill No. 1936--To provide for association dues, county officeholders.

On motion, House Bill No. 1936 was made to conform with Senate Bill No. 1241.

On motion, Senate Bill No. 1241, on same subject, was substituted for House Bill No. 1936.

Mr. Naifeh moved that Senate Bill No. 1241 be passed on third and final consideration.

Mr. Miller moved to amend as follows:

**AMENDMENT NO. 1**

Amend Senate Bill No. 1241 by adding the following language as a new section to be appropriately designated immediately preceding the effective date section, and by renumbering the effective date section accordingly:

SECTION \_\_\_\_ . This act shall not apply in any county having a population of not less than four hundred seventy thousand (470,000) nor more than four hundred eighty thousand (480,000) according to the 1980 federal census or any subsequent federal census.

On motion, the amendment was adopted.

Mr. Swann moved to amend as follows:

**AMENDMENT NO. 2**

Amend Senate Bill No. 1241 by inserting in amendatory subsection (a) of Section 1 between the word "dues" and the words "to associations" the following language:

in an amount not to exceed one hundred dollars (\$100) per membership fee

## WEDNESDAY, APRIL 9, 1986--88th LEGISLATIVE DAY

AND FURTHER AMEND by adding the following language to the end of amendatory subsection (a) of Section 1:

No county funds shall be appropriated to pay dues to any association which advocates or promotes increases in the compensation or benefits of county officials, including members of the county legislative body.

Amendment No. 2 was adopted by the following vote:

Ayes . . . . .	56
Noes . . . . .	32
Present and not voting . . . . .	1

Representatives voting aye were: Bewley, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Copeland, Crain, Cross, Darnell, Davis (Cocke), Davis (Gibson), Davis (Knox), Dills, Drew, Duer, Ellis, Frensley, Gafford, Garrett, Harrill, Hawkins, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, King, Lawson, Love, May, McAfee, McCroskey, McNally, Montgomery, Moody, Nance, Peroulas, Rhinehart, Robinson (Davidson), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Starnes, Swann, Turner, C. (Shelby), Webb, Whitson, Wolfe, Wood, Work and Yelton--56.

Representatives voting no were: Bell, Bivens, Bragg, Burnett, Collier, Curlee, Davidson, DeBerry, Dixon, Hassell, Jared, Jones, Kent, Kernell, Kisber, Miller, Moore, Murphy, Murray, Naifeh, Patterson, Phillips, Ridgeway, Robinson (Hamilton), Stallings, Tanner, Turner (Hamilton), Turner, L. (Shelby), West, Wheeler, Winningham and Wix--32.

Representative present and not voting was: Pruitt--1.

Mr. Miller moved to amend as follows:

### AMENDMENT NO. 3

Amend Senate Bill No. 1241 by deleting the word "shall" in subsection (b) of the amendatory language of Section 1 and substituting instead the word "may".

On motion, the amendment was adopted.

Mr. Clark (Davidson) moved to amend as follows:

### AMENDMENT NO. 4

Amend Senate Bill No. 1241 by adding a new subsection before the enacting clause and renumbering the following sections accordingly:  
This act shall not apply to those counties having a metropolitan form of government.

On motion, the amendment was adopted.

Mr. Henry moved to amend as follows:

**AMENDMENT NO. 5**

Amend Senate Bill No. 1241 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

Section \_\_\_\_\_. The provisions of this act shall not apply in any county having a population of not less than 48,400 nor more than 48,500 according to the 1980 federal census or any subsequent federal census.

On motion, the amendment was adopted.

Thereupon, Senate Bill No. 1241, as amended, passed its third and final consideration by the following vote:

Ayes . . . . .	90
Noes . . . . .	5
Present and not voting . . . . .	1

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Burnett, Byrd, Clark (Davidson), Clark (Sumner), Cobb, Collier, Copeland, Covington, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Drew, Duer, Ellis, Gafford, Garrett, Gill, Harrill, Hassell, Hawkins, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kernell, King, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore, Murphy, Murray, Naifeh, Nance, Napier, Patterson, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Winningham, Wix, Wolfe, Wood, Work and Mr. Speaker McWherter--90.

Representatives voting no were: Buck, Chiles, Crain, Frensley and Stafford--5.

Representative present and not voting was: Yelton--1.

A motion to reconsider was tabled.

**REPORT OF COMMITTEE ON CALENDAR AND RULES**

**CONSENT CALENDAR**

MR. SPEAKER: The officers of your Committee on Calendar and Rules beg leave to report that we have met and set the following additional bills on the Consent Calendar for Wednesday, April 9, 1986:

**WEDNESDAY, APRIL 9, 1986--88th LEGISLATIVE DAY**

House Bills Nos. 1757, 1814, 1724, 2075, House Joint Resolutions Nos. 663, 668, 491, 585, 500, 649, 596, 494, 662, 688, 658, 492, 693, House Resolution No. 110.

GILL, Chairman.

**CONSENT CALENDAR**

House Joint Resolution No. 623--Relative to release of particular easement owned by TVA.

House Joint Resolution No. 638--Relative to naming the "Gene Gordan Memorial Bridge".

House Resolution No. 101--Relative to approving amendments to Rules of Appellate Procedure.

House Resolution No. 114--Relative to confirming appointment, Richard W. Rucker.

Senate Joint Resolution No. 235--Relative to Reelfoot Lake drainage basin.

Senate Joint Resolution No. 234--Relative to continuing Reelfoot Task Force.

House Joint Resolution No. 652--Relative to naming certain National Guard Armory.

House Resolution No. 140--Relative to naming certain bridge on Highway 11-W.

Senate Joint Resolution No. 317--Relative to sympathy, Orland N. Randles, Sr.

House Resolution No. 128--Relative to commending Thomas G. Ailstock.

House Resolution No. 129--Relative to commending Pamela E. Strickland.

House Resolution No. 130--Relative to honoring Matthew Woomer.

House Resolution No. 131--Relative to commending Carlos Roy Tidwell.

House Resolution No. 133--Relative to congratulating Mrs. Mamie Young Simpson.

House Resolution No. 134--Relative to congratulating Wiley and Lillie Owen.

**WEDNESDAY, APRIL 9, 1986--88th LEGISLATIVE DAY**

House Joint Resolution No. 670--Relative to congratulating Miss Jennifer L. Seaborn.

House Joint Resolution No. 672--Relative to honoring Dyersburg High School girls' basketball team.

House Joint Resolution No. 676--Relative to honoring Dwain Farmer.

House Joint Resolution No. 678--Relative to commending James A. Haslam II.

House Joint Resolution No. 679--Relative to honoring Knoxville Women's Center.

House Joint Resolution No. 680--Relative to honoring Kingsport Dobyons-Dennett High School.

House Joint Resolution No. 681--Relative to honoring Joseph R. "Pit" Hyde III.

House Joint Resolution No. 682--Relative to honoring Shelbyville Central High School girls' basketball team.

House Joint Resolution No. 683--Relative to honoring Bradley Central High School girls' basketball team.

House Joint Resolution No. 685--Relative to honoring Macon County High School girls' basketball team.

House Joint Resolution No. 686--Relative to honoring Macon County High School boys' basketball team.

House Joint Resolution No. 687--Relative to honoring Cannon Whitby.

House Joint Resolution No. 689--Relative to honoring J.C. Eoff, Jr.

House Joint Resolution No. 690--Relative to honoring Morris L. Simon.

House Joint Resolution No. 691--Relative to honoring Oak Ridge High School boys' basketball team.

House Joint Resolution No. 692--Relative to congratulating Rachel Huff.

House Joint Resolution No. 694--Relative to commending Paul F. Wilson.

House Joint Resolution No. 695--Relative to memory, Robert Kenneth Bell.

**WEDNESDAY, APRIL 9, 1986--88th LEGISLATIVE DAY**

House Joint Resolution No. 697--Relative to honoring Oprah Winfrey.

House Bill No. 2056--To provide for advisory referendum, Lexington.

House Bill No. 2057--To establish building permit system, Obion County.

House Bill No. 2060--To amend charter, Trimble.

House Bill No. 2061--To amend charter, Clarksville.

House Bill No. 2064--To establish method termination of employees, Clarksville.

House Bill No. 2068--To amend charter, Ridgetop.

House Bill No. 2072--To provide for filling of vacancies Gibson County School District.

House Bill No. 2059--To make certain provisions, Henderson.

On motion, House Bill No. 2059 was made to conform with Senate Bill No. 2058.

On motion, Senate Bill No. 2058, on same subject, was substituted for House Bill No. 2059.

House Bill No. 2074--To regulate general sessions court, Madison County.

On motion, House Bill No. 2074 was made to conform with Senate Bill No. 2064.

On motion, Senate Bill No. 2064, on same subject, was substituted for House Bill No. 2074.

House Bill No. 2067--To authorize bond issue, Tenth School District, Wilson County.

On motion, House Bill No. 2067 was made to conform with Senate Bill No. 2066.

On motion, Senate Bill No. 2066, on same subject, was substituted for House Bill No. 2067.

House Joint Resolution No. 663--Relative to certain investigation, T.B.I.

House Joint Resolution No. 668--Relative to erecting certain signs on Highway 51, Lauderdale County.



**WEDNESDAY, APRIL 9, 1986--88th LEGISLATIVE DAY**

House Joint Resolution No. 491--Relative to study, signing poling, interstate highways.

House Resolution No. 110--Relative to continuing study, licensing of contractors.

House Joint Resolution No. 585--Relative to creating task force on Alzheimer's disease.

House Bill No. 1757--To regulate certificates of titles, motor vehicles.

On motion, House Bill No. 1757 was made to conform with Senate Bill No. 1850.

On motion, Senate Bill No. 1850, on same subject, was substituted for House Bill No. 1757.

House Bill No. 1814--To phase out certain programs, correction.

On motion, House Bill No. 1814 was made to conform with Senate Bill No. 1916.

On motion, Senate Bill No. 1916, on same subject, was substituted for House Bill No. 1814.

House Bill No. 1724--To appropriate funds, implementing teenage pregnancy programs.

On motion, House Bill No. 1724 was made to conform with Senate Bill No. 1722.

On motion, Senate Bill No. 1722, on same subject, was substituted for House Bill No. 1724.

House Bill No. 2075--To regulate Madison County Sheriff's Department.

House Joint Resolution No. 500--Relative to continuing committee doctrine of comparative negligence.

House Joint Resolution No. 649--Relative to study, state aid to handicapped.

House Joint Resolution No. 596--Relative to creating joint committee, study international trade.

House Joint Resolution No. 494--Relative to study, firefighters pay supplement.

House Joint Resolution No. 662--Relative to study, reform in general sessions court system.

**WEDNESDAY, APRIL 9, 1986--88th LEGISLATIVE DAY**

House Joint Resolution No. 688--Relative to study, increased benefits for National Guard.

House Joint Resolution No. 658--Relative to study, job and economic training programs.

House Joint Resolution No. 492--Relative to special study, transportation.

House Joint Resolution No. 693--Relative to study, joint custody of children.

Mr. Gill moved that all House and Senate Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions on the Consent Calendar be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes . . . . .	96
Noes . . . . .	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Drew, Duer, Ellis, Frensley, Gafford, Garrett, Gill, Harrill, Hassell, Hawkins, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, McCroskey, Miller, Montgomery, Moody, Moore, Murphy, Murray, Naifeh, Nance, Napier, Patterson, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--96.

A motion to reconsider was tabled.

Mr. Bewley moved that the House stand in recess until 1:00 p.m., which motion prevailed by the following vote:

Ayes . . . . .	59
Noes . . . . .	28
Present and not voting . . . . .	2

Representatives voting aye were: Bell, Bewley, Bivens, Brewer, Buck, Burnett, Byrd, Clark (Davidson), Collier, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Knox), Dills, Dixon, Ellis, Gaia, Hassell, Hawkins, Henry, Hobbs, Huskey, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, McAfee, McCroskey,

## **WEDNESDAY, APRIL 9, 1986--88th LEGISLATIVE DAY**

McNally, Miller, Murray, Naifeh, Nance, Patterson, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Scruggs, Shirley, Stafford, Tankersley, Ussery, Webb, West, Williams, Winningham, Wix, Work and Mr. Speaker McWherter--59.

Representatives voting no were: Bragg, Cobb, Davis (Gibson), DeBerry, Drew, Duer, Gafford, Gill, Harrill, Hillis, Hurley, Ivy, May, Montgomery, Moody, Moore, Murphy, Napier, Robinson (Hamilton), Robinson (Washington), Severance, Stallings, Swann, Tanner, Turner, C. (Shelby), Whitson, Wood and Yelton--28.

Representatives present and not voting were: Love and Wolfe--2.

The recess having expired, the House was called to order by Mr. Speaker McWherter.

On motion of Mr. Copeland the roll call was dispensed with.

### **MESSAGE FROM THE SENATE**

MR. SPEAKER: I am directed to return to the House, House Joint Resolution No.:

560--Relative to renaming the Cockrill Bend Bridge; and substituted for Senate Joint Resolution No. 281 on same subject, and concurred in by the Senate.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

House Bill No. 1308--To make certain provisions, boxing and wrestling matches.

On motion, House Bill No. 1308 was made to conform with Senate Bill No. 1453.

On motion, Senate Bill No. 1453, on same subject, was substituted for House Bill No. 1308.

Mr. Miller moved that Senate Bill No. 1453 be passed on third and final consideration.

Mr. Miller moved to amend as follows:

AMENDMENT NO. 1

Amend Senate Bill No. 1453 by deleting the text of SECTION 1. in its entirety and substituting the following:

Tennessee Code Annotated, Section 68-50-202(b), is amended by deleting the language "five (5) days (excluding Saturdays, Sundays, and legal holidays)" and substituting the language "fourteen (14) days".

On motion, the amendment was adopted.

Mr. Miller moved to amend as follows:

AMENDMENT NO. 2

Amend Senate Bill No. 1453 by renumbering SECTION 3 as SECTION 5 and adding the following new sections:

SECTION 3. Tennessee Code Annotated, Section 68-50-201(b), is amended by renumbering subdivisions (1) and (2) as (2) and (3), respectively, and adding the following new subdivision (1):

(1) "Boxing" includes kickboxing, a form of boxing in which blows are delivered with the hand and any part of the leg below the hip, including the foot.

SECTION 4. Tennessee Code Annotated, Section 68-50-207, is amended by relettering subsection (b) as subsection (c) and adding the following new subsection (b):

(b) The rules promulgated under this section shall apply to kickboxing only to the extent specifically provided in such rules.

On motion, the amendment was adopted.

Thereupon, Senate Bill No. 1453, as amended passed its third and final consideration by the following vote:

Ayes . . . . .	89
Noes . . . . .	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Collier, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Gibson), Davis (Knox), DeBerry, Dills, Dixon, Drew, Ellis, Frensley, Gafford, Gaia, Garrett, Gill, Harrill, Hawkins, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, Kisber, Lawson, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moore, Murphy, Murray, Naifeh, Nance, Napier, Patterson, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford,

**WEDNESDAY, APRIL 9, 1986--88th LEGISLATIVE DAY**

Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--89.

A motion to reconsider was tabled.

House Bill No. 1386--To authorize bond issue, various state departments.

Mr. Bragg moved that House Bill No. 1386 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes . . . . .	89
Noes . . . . .	0

Representatives voting aye were: Bell, Bivens, Bragg, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), Dills, Dixon, Drew, Ellis, Frenshley, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Hawkins, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Kent, Kernell, Kisber, Lawson, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moore, Murphy, Murray, Naifeh, Nance, Napier, Patterson, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--89.

A motion to reconsider was tabled.

House Bill No. 1385--General Appropriations Bill.

Mr. Bragg moved that House Bill No. 1385 be passed on third and final consideration.

Mr. Bragg moved to amend as follows:

**AMENDMENT NO. 1**

Amend House Bill No. 1385 by deleting the citation "Senate Bill No. /House Bill No. ," in Section 7, Item 2 and by substituting instead the citation "Senate Bill No. 1478/House Bill No. 1386,".

AND FURTHER AMEND by deleting the citation "Senate Bill No. /House Bill No. ," in Section 7, Item 3 and by substituting instead the citation "Senate Bill No. 1478/House Bill No. 1386,".

AND FURTHER AMEND by deleting the citation "Senate Bill No. /House Bill No. ," in Section 7, Item 4 and by substituting instead the citation "Senate Bill No. 1678/House Bill No. 1388,".

**WEDNESDAY, APRIL 9, 1986--88th LEGISLATIVE DAY**

AND FURTHER AMEND by adding a new sentence at the end of Section 29.(a) to read:

"This appropriation shall be effective after meeting all other appropriation requirements of this act and any other general acts of this session."

AND FURTHER AMEND by deleting the period at the end of Section 34. and by adding the words:

"before considering Sections 48 and 29.(a) of this act relating to contingency appropriations and the cancellation of bonds authorized but unissued."

AND FURTHER AMEND by deleting the date "July 1, 1985," from Section 51. and substituting instead the date "July 1, 1986,".

AND FURTHER AMEND by adding a new sentence immediately following the first sentence of Section 46. to read:

"At June 30, 1986, any unexpended balances of appropriations reappropriated in this section shall be carried forward in a reserve into the fiscal year beginning July 1, 1986."

AND FURTHER AMEND by deleting Section 1, Title III-9, item 3.1a which reads as follows:

a. Tennessee Foundation Program ..... \$697,927,900.00

by substituting instead the following:

a. Tennessee Foundation Program ..... \$701,927,900.00

and by adjusting all subtotals and totals accordingly.

AND FURTHER AMEND by deleting Section 1, Title III-9, item 3.1i in its entirety and by adjusting all subtotals and totals accordingly.

AND FURTHER AMEND by adding the following new item at the end of Section 11:

Item \_\_\_\_ . The \$4,000,000 for Elementary Guidance Counselors transferred to the Tennessee Foundation Program shall be obligated and expended as follows:

(1) such funds shall first be obligated and expended for guidance counselors in accordance with the provisions of Tennessee Code Annotated, Section 49-6-303; and

(2) any such funds remaining may be obligated and expended for other education purposes under the guidelines

**WEDNESDAY, APRIL 9, 1986--88th LEGISLATIVE DAY**

of the state board of education; provided, however, that no local government shall reduce its education expenditures as a result of receiving such funds. Any of such funds not obligated or expended on June 30, 1987 shall not revert to the general fund but shall remain available for expenditure in accordance with the provisions of this item.

AND FURTHER AMEND by adding the following new item at the end of Section 46:

Item \_\_\_\_\_. The unexpended balance of the appropriations made for elementary guidance counselors under Chapter 467 of the Public Acts of 1985 are hereby reappropriated to be expended in accordance with the provisions of Section 11 of this act relative to the \$4,000,000 transferred to the Tennessee Foundation Program.

AND FURTHER AMEND by deleting Section 1, Title III-21, item 1.5 which reads:

1.5 Tennessee Association of Rescue  
Squads ..... 65,000.00

by substituting instead the following:

1.5 Tennessee Association of Rescue  
Squads ..... 82,500.00

and by adjusting all subtotals and totals accordingly.

AND FURTHER AMEND by deleting from Section 1, III-1, the following words and amounts:

1. Attorney General and Reporter
  - 1.1 Attorney General and Reporter ..... \$ 4,734,500.00
  - 1.2 Publication of Tennessee Reports ..... 109,500.00
  - 1.3 Special Litigation ..... 100,000.00

Total Attorney General and Reporter \$ 4,944,000.00

and substituting in lieu thereof the following new words and amounts and changing the subtotals and totals appropriately:

1. Attorney General and Reporter
  - 1.1 Attorney General and Reporter ..... \$ 4,795,500.00
  - 1.2 Publication of Tennessee Reports ..... 109,500.00
  - 1.3 Special Litigation ..... 100,000.00

Total Attorney General and Reporter \$ 5,005,000.00

AND FURTHER AMEND by adding the following new item to Section 11:

**WEDNESDAY, APRIL 9, 1986--88th LEGISLATIVE DAY**

Item \_\_\_\_\_. The increase of \$61,000 appropriated to the Attorney General and Reporter is subject to the approval of the commissioner of finance and administration.

AND FURTHER AMEND by reducing the appropriation in Section 1, Title III-16, Item 1.2 (Safe Growth) by the amount of Thirty Thousand, One Hundred Four Dollars (\$30,104); by reducing the appropriation in Section 1, Title III-25, Item 4.4 (DOT Headquarters) by the amount of Two Thousand, Four Hundred Thirty Seven Dollars (\$2,437); and by reducing the appropriation in Section 1, Title III-2 Item 1.1 (Governor's Office) by Two Thousand, Seven Hundred Ten Dollars (\$2,710).

AND FURTHER AMEND by deleting the words "U.T. Center for Health Sciences" in Section 1, Title III-10, item 3.3a. and substituting instead the words "U. T. Memphis".

AND FURTHER AMEND by adding in Section 1, Title III-21 the words and figures:

"1.12	Tennessee Bicentennial Planning Committee	100,000.00"
-------	-------------------------------------------	-------------

AND FURTHER AMEND by deleting in Section 1, Title III-24 the words and figures:

"11.	Obion-Forked Deer Basin Authority	900,000.00"
------	-----------------------------------	-------------

and substituting instead the words and figures:

"11.	River Basin Authorities	
	a. Obion-Forked Deer Basin Authority	650,000.00
	b. Chickasaw River Basin Authority	250,000.00"

AND FURTHER AMEND Section 1, Title III-19 by adding the following:

There is appropriated the additional sum of \$110,800 for employment of six (6) additional laboratory personnel.

AND FURTHER AMEND by deleting Section 1, Title III-9, item 3.4a which reads:

a.	Educational Television	\$ 3,011,400.00
----	------------------------	-----------------

by substituting instead the following:

a.	Educational Television	\$ 3,311,400.00
----	------------------------	-----------------

and by adjusting all resultant subtotals and totals accordingly.



**AND FURTHER AMEND** by adding the following new items at the end of Section 11:

Item \_\_\_\_\_. The \$300,000 increase in the funds appropriated for Educational Television shall not be obligated or expended for personnel but shall be used solely for equipment and other operating expenses.

Item \_\_\_\_\_. From the funds available to the state building commission, there is allocated a sum sufficient to pre-plan a communications building at Middle Tennessee State University.

Item \_\_\_\_\_. From the wildlife resources fund, there is appropriated a sum not to exceed seven hundred one thousand dollars (\$701,000) to the wildlife resources agency for the sole purpose of implementing the provisions of Chapter \_\_\_\_ of the Public Acts of 1986 (HB 1545/SB 1325).

Item \_\_\_\_\_. Out of funds available in the special agency account in the general fund known as the responsible waste disposal incentive fund, there is hereby appropriated seven hundred thousand dollars (\$700,000) for expansion of the livestock pavilion at the University of Tennessee at Martin. Out of funds available in the special agency account in the general fund known as the responsible waste disposal incentive fund, there is hereby appropriated one million dollars (\$1,000,000) for construction of a livestock pavilion at the Roane State Community College.

Item \_\_\_\_\_. (a) From the funds appropriated in Section 1, Title III-21, there is hereby appropriated One Hundred Thousand Dollars (\$100,000) to establish a Tennessee Bicentennial Planning Committee.

(b) The committee shall include the following officials or their designees: the governor, commissioner of finance and administration, secretary of state, the commissioner of the department of tourist development, the chairman of the Tennessee Historical Commission, the chairman of the Tennessee Advisory Commission on Intergovernmental Relations, the speaker of the house of representatives, the speaker of the senate, the chairman of the senate finance, ways and means committee, the chairman of the house finance, ways and means committee, and the director of the Tennessee State Museum.

(c) In addition, the governor, the speaker of the house of representatives, and the speaker of the senate may each appoint three members of the public at large to serve on the committee.

(d) The purpose of the committee shall be to develop recommendations to be made to the 95th General Assembly on (1) a permanent planning structure for the Tennessee Bicentennial, and (2) the scope of activities which might be undertaken to celebrate the Tennessee Bicentennial.

**WEDNESDAY, APRIL 9, 1986--88th LEGISLATIVE DAY**

(e) The committee is to be exploratory in nature and is not authorized to make any commitments for activities or events or to commit any state funds for activities to be conducted during the Tennessee Bicentennial.

(f) Members of the General Assembly serving on the committee shall paid for attending meetings of the committee or any subcommittees as members of the General Assembly are paid for attending legislative meetings as provided in Tennessee Code Annotated, Section 3-1-106. Other members of the committee, including members of the public at large shall be entitled to reimbursement for travel pursuant to the comprehensive travel regulations promulgated by the commissioner of finance and administration and approved by the attorney general.

Item \_\_\_\_\_. From the funds available to the department of correction, there is hereby earmarked one hundred thousand dollars (\$100,000.00) solely for the purpose of a job readiness and placement services program at the Tennessee Prison for Women.

"Item \_\_\_\_\_. From the funds appropriated to the Tennessee Preparatory School in Section 1, Title III-9 of this act, the Commissioner of Finance and Administration is authorized to establish one additional full-time position."

Item \_\_\_\_\_. From the funds appropriated to the department of transportation by the provisions of this act, there is earmarked a sum sufficient for the sole purpose of erecting signs on Interstate 40 and Highway 45 Bypass containing the information "Southwest Tennessee Tourist Information Center, Casey Jones Village, Tourist Information Radio Dial A.M. 530" at the following locations in the following dimensions:

- |                                                                       |                |
|-----------------------------------------------------------------------|----------------|
| (1) I-40 Eastbound just West of Exit 79                               | 12' x 15' size |
| (2) I-40 Westbound just east of Exit 82                               | 12' x 15' size |
| (3) Highway 45 Bypass Southbound just North of I-40                   | 9' x 12' size  |
| (4) Highway 45 Bypass Northbound just South of Old Hickory Boulevard. | 9' x 12' size  |

Item \_\_\_\_\_. From the appropriation in Section 1, Title III-9, item 3.1, there is hereby allocated \$1,000,000 for additional staffing for art, music, and physical education teachers employed by local education agencies, under guidelines established by the State Board of Education.

Item \_\_\_\_\_. From the funds appropriated to the department of tourist development by the provisions of this act, there is earmarked \$75,000 for the sole purpose of advertising in minority publications.

**WEDNESDAY, APRIL 9, 1986--88th LEGISLATIVE DAY**

Item \_\_\_\_\_. No amounts in excess of 112.7% of the net payments for Medicaid services, including ICF, for the fiscal year ending June 30, 1986 shall be charged against the appropriation, including appropriation of federal funds and other funds, for fiscal year 1985-86 to Medicaid excluding administration. Such appropriation shall include amounts appropriated under the provisions of Chapter 467, Public Acts of 1985, plus the amount accrued (\$68,000,000) for Medicaid for budget purposes as of June 30, 1985.

Item \_\_\_\_\_. Any amounts held in the credit and refund account, or any other similar account, in the Department of Revenue as of June 30, 1986, which has not been identified as sales tax refunds, less any amounts in previous fiscal years so identified and considered as state revenue, shall be considered state revenue for budget purposes and/or for determining the amount of funds available for obligation and/or expenditures for fiscal year 1985-86.

Item \_\_\_\_\_. With respect to any acquisition in excess of one million dollars (\$1,000,000) for a multi-year contract or \$500,000 for a one time purchase involving funds appropriated under this act for data processing equipment and services, the proposed specifications for the acquisition shall be reviewed by the Fiscal Review Committee prior to release of the specifications to prospective vendors, and the proposed bid award shall be reviewed by the Fiscal Review Committee prior to final award of the bid. All other data processing acquisitions will follow a process by the Department of General Services as approved by the Board of Standards, which will include a pre-bid conference where funds appropriated by this act exceed \$100,000 and on all other data processing equipment and services, where practicable. All proposed data processing procurement awards to other than the lowest bidder and in cases where only one bid has been received will be reported by the Department of General Services to the Fiscal Review Committee prior to award. Nothing in this item shall be construed as prohibiting review by the Fiscal Review Committee of other proposed acquisitions of data processing equipment and/or services. This provision shall not apply to acquisitions by institutions of higher learning.

Item \_\_\_\_\_. Notwithstanding any provision of law or this act to the contrary, no funds appropriated by the provisions of this act to the department of education LEA Insurance Program for liability insurance shall be obligated or expended to purchase such insurance for any employee position which requires a certificate.

Item \_\_\_\_\_. The Tennessee Bureau of Investigation may serve as subgrantee for the Tennessee Sheriffs' Association, Inc. for the purpose of receiving funds from local governments to match federal funds for the purchase of automation equipment for all of the Sheriffs' offices provided that such local funds must be

**WEDNESDAY, APRIL 9, 1986--88th LEGISLATIVE DAY**

received by the Tennessee Bureau of Investigation prior to the purchase of such equipment.

Item \_\_\_\_\_. Notwithstanding any provision of law or this act to the contrary, any county, municipality, or other political subdivision which receives funds pursuant to the provisions of this act shall not contract with any other entity to obligate or expend such funds unless such contract contains a provision which requires such entity to comply with the provisions of Tennessee Code Annotated, Title 8, Chapter 44, regardless of the percentage of the total annual income such funds comprise.

Item \_\_\_\_\_. Of the monies appropriated to the Department of Transportation, no funds shall be expended for the purpose of extending Vanosdale Road to Kingston Pike in Knox County.

AND FURTHER AMEND by adding the following new items at the end of Section 12:

Item \_\_\_\_\_. In addition to all other funds appropriated to the Department of Conservation, there is hereby appropriated the sum of thirty thousand dollars (\$30,000) for the salary and benefits for two (2) Custodial Worker I positions and two (2) four-month seasonal positions for Roan Mountain State Park. The appropriation made in this item is subject to the approval of the commissioner of finance and administration.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of seventy-five thousand dollars (\$75,000) to the department of education to award a grant-in-aid in such amount to the Chattanooga Afro-American Heritage Museum and Research Center. It is the intention of the general assembly that such appropriation be a one-time, nonrecurring appropriation.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated to the Heritage Museum in Erwin, Tennessee the sum of twenty-five thousand dollars (\$25,000) for the purpose of making general improvements at such museum.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of one hundred thousand dollars (\$100,000) to the department of human services for the sole purpose of contracting in an amount of twenty thousand dollars (\$20,000) each with the following entities in the following cities to provide services for the hearing impaired:

- (1) Johnson City - Regional Center for the Hearing Impaired,

- (2) Knoxville - Area Communications Center for the Deaf,
- (3) Nashville - League for the Hearing Impaired,
- (4) Chattanooga - Services for the Deaf, and
- (5) Memphis - Interpreting Service for the Deaf - YMCA.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is hereby appropriated the sum of three hundred ninety-two thousand dollars (\$392,000) out of the general fund to the department of transportation for maintenance, protection, repairs, and improvement of the spillway dam located beneath Bridge Sequence No. 48SR0210003 on State Route 21 in Lake County.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this Act there is hereby appropriated the sum of \$50,000, \$12,500 of which is appropriated out of the General Fund and the remainder out of the Wildlife Resources Fund to the Wildlife Resources Agency for the land acquisition adjacent to the Reelfoot Lake Spillway.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this Act there is hereby appropriated the sum of \$60,000 out of the General Fund to the Wildlife Resources Agency for land acquisition and appropriate draining work in the area of Reelfoot Lake known as the washout area.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this Act there is hereby appropriated the sum of \$85,000, of which \$21,250 is appropriated out of the General Fund and the remainder is appropriated out of the Wildlife Resources Boating Fund, to the Wildlife Resources Agency Allotment Code 328.02 for land acquisition and construction of access areas at Reelfoot Lake.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this Act there is hereby appropriated the sum of \$484,000 out of the General Fund to the Wildlife Resources Agency for the continuation of the Buffer Zone Acquisition Project at Reelfoot Lake.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this Act there is hereby appropriated the sum of \$20,000 of which \$5,000 is appropriated out of the General Fund and the remainder out of the Wildlife Resources Fund for the continuation of the drawdown project at Reelfoot Lake.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this Act there is hereby appropriated the sum

of \$150,000 out of the General Fund to the Wildlife Resources Agency for payment to the U.S. Geological Survey for conducting a water management survey of Reelfoot Lake.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this Act there is hereby appropriated the sum of \$31,000 to the Department of Health and Environment for conducting a water monitoring program at Reelfoot Lake, including aerial monitoring contracted through the Environmental Protection Agency.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this Act there is hereby appropriated the sum of \$51,500 out of the General Fund to the University of Tennessee at Martin for the Reelfoot Lake Teaching and Research Facility.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this Act there is hereby appropriated the sum of \$175,000 out of the General Fund to the Forked Deer Obion River Basin Authority for the construction of a dam in Basin No. 5 located at the gravel pit near Samburg and for reimbursement to the Wildlife Resources Agency for the acquisition of the necessary land. Any funds remaining upon completion of the project shall be used for the construction of dam No. 3 in Basin No. 2. Provided, further, if any of these funds are not obligated or expended on June 30, 1987, then the balance of the unspent funds shall not revert to the general fund but shall be reappropriated and transferred to the Wildlife Resources Agency to be applied to Reelfoot Lake buffer zone acquisition and shall remain available until expended for such purpose.

Item \_\_\_\_\_. There is hereby appropriated a sum not to exceed one hundred seventy thousand dollars (\$170,000) to enable the town of Adamsville to purchase: (1) the homeplace, (2) surrounding property of approximately three (3) acres, and (3) personal memorabilia of the late McNairy County sheriff and folk-hero, Buford Pusser for maintenance by the town of Adamsville as a museum. This appropriation is subject to an appraisal of the property acceptable to the state building commission and approval by the commission.

Item \_\_\_\_\_. There is hereby appropriated to the Tennessee Historical Society the sum of nine thousand dollars (\$9,000) to assist in the expense of publishing the Tennessee Historical Quarterly.

Item \_\_\_\_\_. In addition to any other appropriation made in this act, there is hereby appropriated to the department of conservation the sum of eighty-seven thousand dollars (\$87,000.00) for the purpose of funding the continued operation of that department's Main Street program during the period from October 1, 1986 through June 30, 1987. It is the intent of the General Assembly to continue the Main Street program at its

**WEDNESDAY, APRIL 9, 1986--88th LEGISLATIVE DAY**

current federally funded level of one hundred seventeen thousand dollars (\$117,000.00) per year following the expected termination of federal funding on October 1, 1986. This appropriation shall be decreased by the amount, if any, of any federal funds received by the department of conservation to operate its Main Street program during the period from October 1, 1986 through June 30, 1987.

Item \_\_\_\_\_. In addition to any other appropriation made in this act, there is hereby appropriated a sum of \$200,000 to the community mental health program for the following purposes:

1. Increase to Continuation Program                   \$       40,075
2. Expansion of Community Initiation                 \$       159,925  
for Severely Mentally Ill

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of twelve thousand dollars (\$12,000) to the Tennessee Association of Rescue Squads for equipment purchases. It is the intention of the general assembly that such appropriation be a one-time, nonrecurring appropriation.

Item \_\_\_\_\_. In addition to other funds appropriated by this act for the Department of Mental Health and Mental Retardation, there is also appropriated two hundred thousand dollars (\$200,000) for the department to contract with community based mental retardation agencies to provide for an increase not to exceed 10% in continuation of these programs.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated to the Department of Education the sum of ten thousand dollars (\$10,000) for the sole purpose of funding an education grant-in-aid in such amount to the Children's Museum of Oak Ridge.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$50,000 to the State Building Commission to conduct a study on the feasibility of constructing an athletic stadium which would be used by affected Higher Educational institutions and other appropriate parties in Davidson County. This study shall be conducted by representatives of the affected Higher Educational institutions, representatives of Metropolitan Government - Davidson County, and such other persons as the State Building Commission shall designate.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated an additional amount to the Beck Cultural Center in Knoxville, Tennessee so that the total amount of funds appropriated to such center is seventy-six thousand dollars (\$76,000).

# WEDNESDAY, APRIL 9, 1986--88th LEGISLATIVE DAY

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated a sum sufficient to increase the total appropriation to the Obion-Forked Deer Basin Authority to two million dollars (\$2,000,000). The appropriation made in this item is subject to the approval of the commissioner of finance and administration.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of one hundred fifty thousand dollars (\$150,000) to the Dyer County Drainage and Levee Board. The appropriation made in this item is subject to the approval of the commissioner of finance and administration.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act to the Tennessee Department of Health and Environment for perinatal care, there is hereby appropriated an additional five hundred thousand dollars (\$500,000) for funding the Perinatal Care Program. The appropriation made in this item is subject to the approval of the commissioner of finance and administration.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of five hundred thirty-three thousand five hundred seventy-six dollars (\$533,576) to the department of education to implement the provisions of House Bill No. 1222 (SB 1255) concerning homebound instruction. The appropriation made in this item shall only take effect if House Bill No. 1222 (SB 1255) becomes law.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act for the department of tourist development, there is appropriated the sum of forty-one thousand five hundred dollars (\$41,500) for the completion of Phase II of the Etowah Rail Excursion in cooperation with the departments of economic and community development and transportation and the Seaboard Railroad.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the following amounts to fund the following medical programs at Meharry Medical College:

(1) Sickle Cell Anemia	\$ 43,100
(2) Genetics	16,360
(3) Graduate Training in Dentistry	12,000
(4) Psychiatric Residency	6,000

The appropriation made in this item is subject to the approval of the commissioner of finance and administration.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is hereby allocated and/or



**WEDNESDAY, APRIL 9, 1986--88th LEGISLATIVE DAY**

appropriated the sum of thirty-five thousand dollars (\$35,000) from federal block grant funds available to the department of health and environment to provide additional funding for the Children and Youth Program at Meharry Medical College. The appropriation made in this item is subject to the approval of the commissioner of finance and administration.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of two hundred fifty thousand dollars (\$250,000) to the department of economic and community development for the purpose of making a grant of such amount to Humphreys County to design and construct an industrial building in the Waverly Industrial Park, provided that such funds are matched on a one-to-one basis by Humphreys County. The appropriation made in this item is subject to the approval of the commissioner of economic and community development.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of one hundred ninety-nine thousand eight hundred dollars (\$199,800) to the University of Tennessee Institute for Public Service, Center for Industrial Services, for the purpose of providing technical assistance services, programs and information to assist small manufacturers and small business with hazardous waste disposal.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of one hundred fifty thousand dollars (\$150,000) to the state building commission for the purpose of preplanning a state park in Claiborne County.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of two million three hundred thirty-five thousand dollars (\$2,335,000) to the Memphis Brooks Museum of Arts Foundation for the purpose of acquiring, constructing, providing, and equipping an education complex, auditorium, orientation theatre, library, volunteer and docent center, restaurant, expanded gift shop and augmented staff operations and storage facilities. The appropriation made in this item is subject to the approval of the commissioner of finance and administration.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of one hundred thousand dollars (\$100,000) to the department of human services to implement the provisions of House Bill No. 864 (SB 329) concerning services for disabled adults. The appropriation made in this item is subject to House Bill No. 864 (SB 329) becoming law.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated to the

**WEDNESDAY, APRIL 9, 1986--88th LEGISLATIVE DAY**

Department of Safety a sum sufficient not to exceed Five Million, Four Hundred Thousand Dollars (\$5,400,000.00) for the sole purpose of implementing the provisions of Chapter \_\_\_\_ of the Public Acts of 1986. (Senate Bill 1500/House Bill 1687). The appropriation made in this item shall only take effect if Senate Bill 1500/ House Bill 1687 becomes law.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of forty-seven thousand five hundred dollars (\$47,500) to the department of education for the sole purpose of increasing the supplement paid to supervising teachers of instruction from ten dollars (\$10.00) for each teacher supervised to a maximum of fifty (50) teachers to twenty dollars (\$20.00) per teacher supervised to a maximum of fifty (50) teachers; provided, however, that such increase shall only be granted to one (1) such supervising teacher of instruction per county.

Item \_\_\_\_\_. In addition to all other funds appropriated to the Wildlife Resources Agency, there is hereby appropriated a sum not to exceed twenty thousand dollars (\$20,000) to enable the agency to purchase equipment to monitor water pollution. The appropriation made in this item is subject to the approval of the commissioner of finance and administration.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated to the Department of Health and Environment, Division of Health Related Boards, the sum of two hundred twenty seven thousand dollars (\$227,000.00) for the sole purpose of regulating health care professionals. The appropriation made in this item is subject to the approval of the commissioner of finance and administration.

Item \_\_\_\_\_. In addition to the departmental revenues appropriated to the Treasury Department pursuant to Section 4, Title III-1, Item 5.1, there is hereby appropriated an additional sixty thousand dollars (\$60,000) in departmental revenue for the purpose of administering Public Chapter 555 and authorizing one (1) additional position.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of sixty-six thousand three hundred fourteen dollars (\$66,314) to the Office of Legal Services to implement the classification-compensation plan adopted by the Joint Legislative Services Committee.

Item \_\_\_\_\_. In addition to all other appropriations made in this act, there is hereby appropriated the sum of \$945,000 to the criminal injuries compensation fund established pursuant to Tennessee Code Annotated, Section 40-24-107; and to the victims of crime assistance fund created pursuant to Public Chapter \_\_\_\_ (Senate Bill 1956 / House Bill 1933) the sum of \$945,000; and to

the victims of drunk driver's compensation fund established by Public Chapter \_\_\_\_ (Senate Bill 1956 / House Bill 1933) the sum of \$1,890,000. It is the legislative intent that the appropriations made by this item shall fulfill the allocations made to these programs by Public Chapter \_\_\_\_ (Senate Bill 1956 / House Bill 1933). The Commissioner of finance and Administration is authorized to make appropriate adjustments to these appropriations to effectuate this intent. The appropriations made in this item shall be effective only if Senate Bill 1956 / House Bill 1933 becomes a law.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this Act, there is hereby appropriated to the Judicial Department the sum of one hundred and fifty-six thousand dollars (\$156,000) for the purpose of obtaining word processing equipment for the judges of the Tennessee Supreme Court, the Court of Appeals, and the Court of Criminal Appeals.

Item \_\_\_\_\_. In addition to any other funds appropriated to the Department of Labor for such purpose, there is hereby appropriated the sum of seventy-five thousand dollars (\$75,000) for the Center for Labor-Management Relations.

Item \_\_\_\_\_. In addition to any other funds already appropriated to the Department of Conservation, Tennessee Historical Commission by the provisions of this Act, there is appropriated the sum of Twenty-Five Thousand Dollars (\$25,000) for Rocky Mount Historical Association. These funds are for operational expenses on a continuing basis. The appropriation made in this item is subject to the approval of the commissioner of finance and administration.

Item \_\_\_\_\_. In addition to all other funds appropriated to or for the Tennessee Historical Commission, there is hereby appropriated the sum of forty-four thousand three hundred seventy-five dollars (\$44,375) to fund one position for planning and preparation for the Tennessee bicentennial.

Item \_\_\_\_\_. In addition to all other funds appropriated to the Tennessee Historical Commission, there is hereby appropriated the sum of thirty thousand dollars (\$30,000) to defray publication costs of Volume III of the Biographical Directory of the Tennessee General Assembly, when such volume is complete and ready for publication.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provision of this act, there is appropriated the sum of \$102,000 to the Board of Regents for the funding of the provisions of SB 1273/HB 1297 Chapter \_\_\_\_, Public Acts of 1986.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of the act, there is appropriated the sum of one hundred sixty-three thousand dollars (\$163,000) to the department

of human services for the sole purpose of establishing a pilot program of day care services in Davidson County to encourage and facilitate the employment of economically disadvantaged parents and guardians of minor children. The funds appropriated by this item shall be used as follows:

To fund day care services for one hundred (100) children in accordance with the provisions of House Bill No. 1521/Senate Bill No. 1540.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is hereby appropriated to the Department of State the sum of one hundred nineteen thousand dollars (\$119,000) for the purpose of assisting in the implementation of the provisions of HB 1154/SB 1218. These funds shall be allocated \$46,000.00 for the funding of 3 additional positions and \$73,000.00 to other expenditures. The appropriation made in this item shall only take effect if HB 1154/SB 1218 becomes law. The appropriation made in this item is subject to the approval of the commissioner of finance and administration.

Item \_\_\_\_\_. In addition to any other funds appropriated by this act, there is hereby appropriated to the Department of State the sum of seventy-four thousand dollars (\$74,000.00) for the purpose of expanding the scope of the local records microfilm program to include school records. These funds are to be allocated \$18,500.00 to fund one additional position and \$55,500.00 to other expenditures to equip and support this position.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of three hundred sixteen thousand dollars (\$316,000) to the Tennessee Department of Health and Environment to provide for the regulation of radioactive materials as required by passage of SB 1466/ HB 1376 (Public Chapter 569) from the fees generated by the provisions of such act.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of six hundred sixty-seven thousand seven hundred fifty dollars (\$667,750) for agricultural financial and family counseling to be implemented by the University of Tennessee Agricultural Extension Service; provided, however, that such program shall be subject to evaluation in one year. The appropriation made in this item shall be a nonrecurring appropriation.

Item \_\_\_\_\_. In addition to funds appropriated elsewhere in this act, there is hereby appropriated two hundred ninety-two thousand dollars (\$292,000.00) to implement the provisions of Senate Bill No. 1623/House Bill No. 1707 relative to the creation of Criminal Investigator positions in certain judicial districts.

The appropriation made in this item shall not take effect unless Senate Bill No. 1623/House Bill No. 1707 becomes law.

Item \_\_\_\_\_. In addition to funds appropriated elsewhere in this act, there is hereby appropriated nine hundred thousand six hundred and forty-two dollars (\$900,642.00) for the purpose of implementing the provisions of Senate Bill No. 1584/House Bill No. 1694 relative to the compensation of certain assistant district attorneys general. The appropriation made in this item shall not take effect unless Senate Bill No. 1584/House Bill No. 1694 becomes law.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is hereby appropriated the sum of twenty-five thousand dollars (\$25,000) to the Tennessee Foreign Language Institute. The appropriation made by the provisions of this item shall not take effect unless Senate Bill No. 1713/House Bill No. 1481 becomes law.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is hereby appropriated the sum of five hundred thousand dollars (\$500,000) to the State Treasurer for the sole purpose of providing state matching funds on a dollar-for-dollar basis for all private contributions made to the Tennessee Foreign Language Institute Endowment Fund during fiscal year 1986-1987. The appropriation made by the provisions of this item shall not take effect unless Senate Bill No. 1713/House Bill No. 1481 becomes law. The appropriation made in this item shall revert to the general fund if such matching funds are not contributed to such fund within two (2) years.

Item \_\_\_\_\_. In addition to all other appropriations to the Department of Transportation, there is hereby appropriated a sum sufficient for design engineering, and corridor studies for State Highway 11 (U.S. 41) from the northern city limits of Ridgetop to the southern city limits of Springfield. The appropriation made in this item is subject to the approval of the commissioner of finance and administration.

Item \_\_\_\_\_. In addition to funds appropriated elsewhere in this act, there is hereby appropriated twenty-eight thousand eight hundred dollars (\$28,800.00) to implement the provisions of Chapter 515 of the Public Acts of 1986, relative to the compensation of certain assistant district attorneys general.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of five hundred seventy-two thousand dollars (\$572,000) for the first year's debt service on the bonds authorized by the provisions of House Bill No. 1949/Senate Bill No. 1944. The appropriation made in this item shall not take effect unless House Bill No. 1949/Senate Bill No. 1944 becomes law.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of four hundred thousand dollars (\$400,000) to the Tennessee Commission on Aging to develop and implement a statewide public guardianship program for the elderly.

Item \_\_\_\_\_. Notwithstanding any other provision of law to the contrary and in addition to any other appropriation provided herein, there is hereby appropriated to the Department of Revenue the amount of six hundred thousand dollars (\$600,000) for the purpose of administering the provisions of Senate Bill 1437 (HB 1718). The appropriation made in this item is subject to the approval of the commissioner of finance and administration.

Item \_\_\_\_\_. In addition to the amounts appropriated in Section 1, Title III-24, there is hereby appropriated One Hundred Thousand Dollars (\$100,000) to the state building commission for contingency projects as considered necessary by the commission to effectuate its purposes.

Item \_\_\_\_\_. Subject to enactment of Chapter \_\_\_, Public Acts of 1986 (SB 1579 - HB 1326), in addition to all other appropriations made in this act, there is hereby appropriated the sum of \$8,187,800 for improvements to the medicaid and AFDC programs, to be distributed as follows: to the Department of Health and Environment \$4,087,600 for medical services and \$93,000 for medicaid administration and to the Department of Human Services \$3,411,200 for AFDC grants and \$596,000 for AFDC administrative support including the establishment of 58 positions as needed after July 1, 1986. The Commissioner of Finance and Administration shall make the revenue code adjustments necessary to reflect associated federal, non-governmental and interdepartmental funds.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$5,000,000 to be allocated for Chairs of Excellence as follows:

(1) \$2,500,000 to the University of Tennessee System; and.

(2) \$2,500,000 to the State University and Community College System.

The appropriation made in this item shall be appropriated from the general fund balance at June 30, 1986.

Item \_\_\_\_\_. In addition to any other funds appropriated in this act, there is hereby appropriated eighty thousand dollars (\$80,000) to the Tennessee Advisory Commission on Intergovernmental Relations for the purpose of conducting a study on the effects of economic development on Tennessee local governments, especially changes in demands for governmental

services and the need for improving or expanding infrastructure arising from major industrial or commercial investment and development, such as occasioned by the decision by the Saturn Corporation to locate in Tennessee. The commission may cooperate with other state agencies in conducting the study and may contract with the Institute for Public Service of The University of Tennessee for assistance in the study.

Item \_\_\_\_\_. In addition to any other appropriation made in this act, there is hereby appropriated to the department of conservation the sum of one million dollars (\$1,000,000.00) for the purpose of funding a program of reclamation of land and water resources which have been adversely affected by past coal mining practices, as authorized by Tennessee Code Annotated, Section 59-8-324. Any unexpended or unencumbered balance of funds provided by this appropriation which remains at the end of any fiscal year shall not revert to the general fund but shall be carried forward until expended. The appropriation made in this item is subject to the approval of the commissioner of finance and administration.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is hereby appropriated the sum of three million dollars (\$3,000,000.00) to the State Building Commission for the sole purpose of restoration of the State Capitol Building and Grounds subject to the approval of the Department of Finance and Administration.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of twenty-seven thousand three hundred forty-three dollars (\$27,343) to Hohenwald Truck Lines, Inc. to reimburse such company for the overpayment of fuel taxes in 1984.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this Act, there is appropriated to the Tennessee Department of Agriculture the sum of three hundred thousand dollars (\$300,000) for the purpose of providing one micro-biologist position and laboratory supplies, equipment, field testing and other expenses for implementation of a new pseudorabies testing program. The appropriation made in this item is subject to the approval of the commissioner of finance and administration.

Item \_\_\_\_\_. To the Upper Duck River Development Agency for the purpose of conducting a complete study of the water quality and quantity of the Duck River and the anticipated needs for water in the high growth area served by this stream, there is appropriated a sum of seventy-five thousand dollars (\$75,000). The findings of this study shall be reported to the governor, general assembly, and local governments concerned. The appropriation made in this item is subject to the approval of the commissioner of finance and administration.

**WEDNESDAY, APRIL 9, 1986--88th LEGISLATIVE DAY**

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of sixty thousand dollars (\$60,000) in sums of fifteen thousand dollars (\$15,000) each for the Elk River Development Agency, the Upper Duck River Development Agency, the Beech River Watershed Development Authority and the Sequatchie Valley Planning and Development Agency.

Item \_\_\_\_\_. In addition to any other funds which might be appropriated to the division of health related boards, there is hereby appropriated the sum of twenty-nine thousand dollars (\$29,000.00) to be used to implement and maintain the activities authorized by the "Respiratory Care Practitioner Act" of 1986. the appropriation made in this item is subject to the approval of the commissioners of finance and administration and health and environment.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is hereby appropriated the sum of one million nine hundred thousand dollars (\$1,900,000) for the purpose of implementation of Chapter \_\_\_\_ of the Public Acts of 1986 (House Bill 1962/Senate Bill 1907). The appropriation made in this item shall only take effect if House Bill 1962/Senate Bill 1907 becomes law.

Item \_\_\_\_\_. (a) In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of fifty thousand dollars (\$50,000) to the General Assembly for disbursement to the Council of State Governments for the sole purpose of defraying expenses of the Conference on Children and Youth sponsored by the Southern Legislative Conference to be held in November, 1986, in Nashville. The funds appropriated by the provisions of this subsection shall be subject to audit by the Comptroller of the Treasury.

(b) In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$50,000 to the General Assembly to defray the expenses of the National Conference of State legislatures to be held in Nashville in 1990. The appropriation made in this subsection shall not revert to the general fund on June 30, 1987 but shall be carried forward in a reserve for such purpose.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated to the Department of Conservation the sum of one hundred thousand dollars (\$100,000) for the Division of Parks and Recreation, to be used for investigation and reconstruction of various archaeological sites.

Item \_\_\_\_\_. In addition to all other funds appropriated to the Department of Finance and Administration, there is hereby appropriated the sum of One Million Dollars (\$1,000,000) in



**WEDNESDAY, APRIL 9, 1986--88th LEGISLATIVE DAY**

matching funds on a one-to-one ratio for the purpose of renovation of the Paramount Center in Bristol.

Item \_\_\_\_\_. In addition to all other funds appropriated for the General Assembly, there is hereby appropriated six thousand five hundred dollars (\$6,500) to pay for the printing of an additional five hundred (500) copies of the December, 1982 report of the Tennessee Comprehensive Education Study Task Force, the Tennessee Comprehensive Education Study.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated a sum sufficient for the purpose of implementation of Chapter \_\_\_\_ of the Public Acts of 1986, House Bill 1486/Senate Bill 1290.

Item \_\_\_\_\_. In addition to the appropriation made to the state library and archives in Section 1, Title III-I, Item 3.4 of this act, there is hereby appropriated the sum of one hundred twenty thousand dollars (\$120,000) to the Library Service for the Hearing Impaired for the purpose of continuing the educational services provided for deaf and hearing impaired Tennesseans. These services include specialized telephone equipment and television decoders, comprehensive media resources and library facilities, a toll-free number for current news and events, public awareness activities and referral services.

Item \_\_\_\_\_. There is appropriated to the public Service Commission from revenues derived from the increase in utility and railroad inspection fees pursuant to House Bill No. 1951/Senate Bill No. 1961 the amount of \$1,300,300 for the purpose of funding the proposed expansion budget including the creation of fifty (50) staff positions of which thirty (30) will be Motor Carrier Safety Enforcement Officers. The appropriation made in this item is subject to House Bill No. 1951/Senate Bill No. 1961 becoming law.

Item \_\_\_\_\_. In addition to all other appropriations to the Department of Transportation, there is hereby appropriated a sum of \$400,000 for design engineering, and corridor studies for State highway 11 (U.S. 41) from the northern city limits of Ridgetop to the southern city limits of Springfield.

AND FURTHER AMEND by adding the following paragraph at the end of Item 1 of the original Section 35:

It is the legislative intent that all support personnel of the Board of Regents and University of Tennessee shall receive at least a four percent (4.0%) salary increase effective July 1, 1986 unless the most recent evaluation from the 1985-86 school year is unsatisfactory and is present in the employee's personnel file.

# WEDNESDAY, APRIL 9, 1986--88th LEGISLATIVE DAY

AND FURTHER AMEND by adding the following new items to Section 35:

Item \_\_\_\_\_. In addition to all other funds appropriated to the state university and community college system, there is hereby appropriated the sum of six hundred twelve thousand dollars (\$612,000) for the expansion of the McMinnville AVTS facility to construct added classroom space to provide higher education courses for persons in Warren and surrounding counties. This appropriation is subject to an additional two hundred thousand dollars (\$200,000) from local sources being made available.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act or any other act, there is hereby appropriated the sum of thirty thousand dollars (\$30,000) to Shelby State Community College for the purpose of enhancing the operation of the Office of Student Services in disseminating information to prospective students in the Memphis/Shelby County area.

AND FURTHER AMEND by deleting the words and figures "nine thousand dollars (\$9,000.00)" in the original Section 40 and by substituting instead the words and figures "nine thousand two hundred dollars (\$9,200.00)".

AND FURTHER AMEND by deleting in its entirety Section 41 and by substituting a new Section 41 to read:

SECTION 41. The appropriation of five million dollars (\$5,000,000.00) made in Section 1, Title III-21, item 1.8 for Classification-Compensation Plan is hereby appropriated to implement the state employee's classification-compensation plan study; and there is further appropriated federal match funds and other departmental revenue earnings, all according to the following schedule:

<u>Department</u>	<u>State Appropriation</u>	<u>Departmental Revenue</u>
1. Agriculture	\$ 70,800.00	\$ 9,000.00
2. Commissions	183,500.00	26,300.00
3. Commerce and Insurance	41,500.00	38,600.00
4. Conservation	315,400.00	6,300.00
5. Correction	821,100.00	16,200.00
6. Economic and Community Development	61,200.00	9,400.00
7. Education	221,100.00	33,400.00
8. Employment Security	-	745,200.00
9. Executive	14,500.00	-
10. Finance and Administration	46,000.00	62,600.00
11. Financial Institutions	-	22,000.00
12. General Services	63,600.00	47,100.00

**WEDNESDAY, APRIL 9, 1986--88th LEGISLATIVE DAY**

13. Health and Environment	425,000.00	298,900.00
14. Human Services	819,200.00	664,300.00
15. Labor	23,500.00	37,800.00
16. Mental Health and Mental Retardation	979,800.00	336,100.00
17. Military	23,000.00	46,500.00
18. Personnel	19,700.00	8,700.00
19. Revenue	190,100.00	-
20. Safety	235,900.00	500.00
21. Tennessee Bureau of Investigation	39,100.00	2,900.00
22. Tennessee Student Assistance Corporation	1,900.00	1,900.00
23. Tourist Development	26,500.00	-
24. Veterans Affairs	15,500.00	-
25. Legislature	43,400.00	800.00
26. Court System	47,600.00	-
27. Attorney General	34,400.00	3,200.00
28. District Attorneys General	25,300.00	11,200.00
29. Secretary of State	66,000.00	-
30. Comptroller of the Treasury	141,200.00	7,200.00
31. Treasurer	<u>6,100.00</u>	<u>29,200.00</u>
<b>TOTAL</b>	<b>\$5,000,000.00</b>	<b>\$2,465,300.00</b>

There is further appropriated from dedicated state revenues, federal match funds and other departmental revenue earnings, all according to the following schedule:

<u>Department</u>	<u>State Appropriation</u>	<u>Departmental Revenue</u>
1. Wildlife Resources	\$ 79,800.00	-
2. Public Service Commission	49,100.00	-
3. Transportation	<u>970,000.00</u>	-
<b>TOTAL</b>	<b>\$1,098,900.00</b>	<b>-</b>

AND FURTHER AMEND by adding the following new items to Section 45 to read:

"Item \_\_\_\_\_. From the appropriations made to the Department of Human Services in Section 1, Title III-17, of Chapter 467, Public Acts of 1985, the Commissioner of Finance and Administration is authorized to transfer an amount not to exceed \$745,000.00 to the Department of Health and Environment, Medicaid Administration, and the federal aid and departmental revenues shall be adjusted accordingly.

Item \_\_\_\_\_. From the funds available to the Department of General Services in the internal service fund for motor vehicle management, there is hereby appropriated a sum sufficient to

**WEDNESDAY, APRIL 9, 1986--88th LEGISLATIVE DAY**

provide for encumbrances outstanding at June 30, 1985 and June 30, 1986."

AND FURTHER AMEND by adding the following new items at the end of Section 46:

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of two hundred ninety-three thousand dollars (\$293,000) to the department of conservation for the sole purpose of completing the acquisition of the site for a white pine nursery in east Tennessee.

Item \_\_\_\_\_. Notwithstanding any other provision of the law to the contrary, there is hereby appropriated to the Tennessee Economic Development Corporation an amount not to exceed \$5,000,000 to be allocated from Treasurer's earning, which are in excess of the budgetary estimates for fiscal year 1985-86 as shown in the fiscal year 1986-87 budget document, such amount to be available for expenditure by the corporation during fiscal year 1986-87. The appropriation made in this item shall be effective only if Senate Bill 1963/House Bill 1934 becomes a law.

Item \_\_\_\_\_. In addition to all other appropriations made in this act, there is hereby appropriated \$450,000 to the criminal injuries compensation fund established by Tennessee Code Annotate, Section 40-24-107, and \$450,000 to the victims of drunk driver compensation fund established by Public Chapter \_\_\_\_\_ (Senate Bill 1956/House Bill 1933). It is the legislative intent that the appropriations made in this item shall fulfill the funds allocated to the criminal injuries compensation fund and the drunk driver's compensation fund pursuant to Senate Bill 1956/House Bill 1933. The appropriation made in this item shall be effective only if Senate Bill 1956/House Bill 1933 becomes a law.

Item \_\_\_\_\_. The unexpended balances of the appropriations totaling one hundred twenty-two thousand five hundred dollars (\$122,500.00) made to district attorneys general by the provisions of Section 43 of Chapter 467 of the Public Acts of 1985 are hereby reappropriated to be expended for the same purposes in the fiscal year beginning July 1, 1986.

Item \_\_\_\_\_. The unexpended balance of the appropriations made under Section 7 of Chapter 4 of the Public Acts of 1985, First Extraordinary Session, for the select oversight committee on corrections, is hereby reappropriated to be expended in the 1986-87 fiscal year.

Item \_\_\_\_\_. The unexpended balance of the appropriation established for land acquisition made under Section 12, item 42 in Chapter 1002, Public Acts of 1984 is hereby reappropriated to the State Board of Regents. There is further reappropriated to

**WEDNESDAY, APRIL 9, 1986--88th LEGISLATIVE DAY**

the State Board of Regents the proceeds from the resale to a local government of any portion of the land acquired under the 1984 appropriation.

"Item \_\_\_\_\_. The unexpended balance of the appropriation made under Section 12, item 77 in Chapter 467, Public Acts of 1985, is hereby reappropriated to be expended for such purpose in the 1986-87 fiscal year.

Item \_\_\_\_\_. The unexpended balance of the appropriation made to the District Attorneys General under Section 43 in Chapter 467, Public Acts of 1985, is hereby reappropriated to be expended for such purpose in the 1986-87 fiscal year.

Item \_\_\_\_\_. The unexpended balance of the appropriation made to the Department of Conservation, Division of Administration, under Section 43 in Chapter 467, Public Acts of 1985, is hereby reappropriated to be expended for such purpose in the 1986-87 fiscal year.

Item \_\_\_\_\_. The unexpended balance of the appropriation made to the Department of Labor under Section 12, item 42 in Chapter 467, Public Acts of 1985, is hereby reappropriated to be expended for such purpose in the 1986-87 fiscal year.

Item \_\_\_\_\_. From the appropriations made to the Department of Human Services under Section 46, item 11 in Chapter 467, Public Acts of 1985, an amount not to exceed \$388,000 in state funds and \$1,300,000 in federal funds is hereby reappropriated to be expended for such purpose in the 1986-87 fiscal year."

"Item \_\_\_\_\_. From the unexpended balance of the appropriation made in Section 5, item 1 of Chapter 4, Public Acts of the First Extraordinary Session of 1985, an amount not to exceed \$1,500,000 is hereby reappropriated to the Department of Human Services to expedite the implementation of the Youth Service plan and such funds shall be available for this purpose in the 1986-87 fiscal year."

Item \_\_\_\_\_. In addition to all other capital outlay funds appropriated to or for the state special schools, there is hereby appropriated an additional sum not to exceed six million dollars (\$6,000,000) in capital outlay funds for the School of the Deaf in Knoxville. The appropriation made in this item is subject to the approval of the commissioner of finance and administration.

47: AND FURTHER AMEND by adding the following new items to Section

"Item \_\_\_\_\_. From the appropriation made to the Department of Conservation for Parks Maintenance under Section 1, Title III-5 of this act, the sum of \$300,000.00 is earmarked to the Historical Commission to provide funds for the maintenance of

**WEDNESDAY, APRIL 9, 1986—88th LEGISLATIVE DAY**

historical sites within the state of Tennessee through an open selection process, similar to the process used to distribute Land and Water Conservation Funds.

"Item \_\_\_\_\_. From the appropriation made to the Department of Education for Teachers Group Insurance under Section 1, Title III-9 of this act, the Department of Education is authorized to pay on behalf of each eligible local education employee, and his or her dependents, an amount not to exceed fifty percent (50%) of the total cost of such person's participation in the basic accident and medical expense insurance plan authorized by Tennessee Code Annotated, Title 8, Chapter 27, Part 3."

AND FURTHER AMEND by adding a new Section to read:

SECTION \_\_\_\_\_. The provisions of this section shall take effect upon becoming a law the public welfare requiring it. There is hereby appropriated from departmental revenues and federal aid funds the amounts hereinafter set out:

		<u>1985-86</u>	<u>1986-87</u>
District Attorneys General			
1.	District Attorneys General	\$ -	\$ 10,000
2.	District Attorneys General		
	Conference	\$ -	\$ 30,000
	Total District Attorneys		
	General	\$ -	\$ 40,000
Commissions			
1.	Alcoholic Beverage Commission	\$ 90,000	\$ -
General Services			
1.	Public Works - Nashville	\$ 90,000	\$ -
2.	James K. Polk Office Building	120,000	-
	Total General Services	\$ 400,000	\$ -
Department of Correction			
1.	Administration	\$ -	\$ 40,000
2.	State Industries	-	736,000
	Total Correction	\$ -	\$ 776,000
Department of Education			
1.	Administration	\$ 310,000	\$ -
2.	Alvin C. York Agricultural		
	Institute	50,000	-
	Total Education	\$ 360,000	\$ -

**WEDNESDAY, APRIL 9, 1986--88th LEGISLATIVE DAY****Department of Commerce and Insurance**

1.	Fire Prevention	\$	300,000	\$	300,000
			<u>1985-86</u>		<u>1986-87</u>

**Department of Mental Health and  
Mental Retardation**

1.	Western Mental Health Institute	\$	375,000	\$	-
2.	Winston Developmental Center		232,000		-
	Total Mental Health	\$	607,000	\$	-

**Department of Military**

1.	Tennessee National Guard	\$	68,000	\$	162,000
2.	Emergency Management Agency		9,000		22,000
	Total Military	\$	77,000	\$	184,000

**Department of Health and Environment**

1.	Environmental Sanitation	\$	25,000	\$	25,000
2.	Maternal and Child Health Services		417,000		417,000
3.	Health Access		126,000		126,000
	Total Health and Environment	\$	568,000	\$	568,000

**Department of Human Services**

1.	Vocational Rehabilitation	\$	-	\$	107,000
----	---------------------------	----	---	----	---------

**Department of Safety**

1.	Driver Control	\$	12,000	\$	73,000
	TOTAL	\$	2,414,000	\$	2,048,000

The Commissioner of Finance and Administration is authorized to establish thirty-five full-time positions and to allocate them to the appropriate organizational units. Any unexpended balances at June 30, 1986, of departmental revenues and federal aid funds appropriated in this section are hereby reappropriated in the fiscal year beginning July 1, 1986.

AND FURTHER AMEND by adding the following new section to be appropriately numbered:

**SECTION \_\_\_\_.**

Item 1. The appropriation to the department of tourist development in Section 1, Title III-4 for advertising Homecoming '86 is hereby reduced by the sum of \$2,870,000.

**WEDNESDAY, APRIL 9, 1986--88th LEGISLATIVE DAY**

Item 2. The appropriation to the department of economic and community development for expanding the advertising program is hereby reduced by the sum of \$400,000.

Item 3. The appropriation to the department of economic and community development for the Tennessee Technology Foundation is hereby reduced by the sum of \$200,000.

Item 4. The appropriation of \$840,000 to the department of conservation for forestry equipment shall be a nonrecurring appropriation.

Item 5. The appropriation of \$1,250,000 to the department of conservation for park maintenance shall be a nonrecurring appropriation.

Item 6. The appropriation of \$400,000 to the department of economic and community development to lease space for the University of Tennessee Center for Health Science shall be a nonrecurring appropriation.

Item 7. The appropriation of \$900,000 to Higher Education in Section 1, Title III-10, item 2.1 for Academic Scholarships shall be a nonrecurring appropriation.

Item 8. The appropriation of \$2,000,000 to Higher Education in Section 1, Title III-10 for the replacement of vocational equipment shall be a nonrecurring appropriation.

Item 9. The appropriation of \$200,000 to the department of safety to replace the statewide communications network shall be a nonrecurring appropriation.

Item 10. The appropriation of \$400,000 to the department of safety to replace lights and radar equipment shall be a nonrecurring appropriation.

Item 11. The appropriation of \$332,000 to the department of safety to overhaul helicopters shall be a nonrecurring appropriation.

Item 12. The appropriation of \$400,000 to the department of mental health and mental retardation for major maintenance shall be a nonrecurring appropriation.

Item 13. Of the funds appropriated for capital outlay in Section 1, Title III-24, \$12,000,000 shall be a nonrecurring appropriation.

Item 14. The appropriation of \$400,000 to the department general services to purchase additional vehicles shall be a nonrecurring appropriation.



**WEDNESDAY, APRIL 9, 1986--88th LEGISLATIVE DAY**

Item 15. The appropriation to the department of tourist development for welcome centers is reduced by the sum of \$2,600,000. There is hereby earmarked from the highway fund the sum of \$2,600,000 for welcome centers.

Item 16. The appropriation to the department of education for the conservation education NOW program is reduced by the sum of \$75,000. There is hereby earmarked from funds otherwise appropriated to the department of education the sum of \$75,000 for such program.

Item 17. The appropriation to the department of education for the Task Force on Tennessee History is reduced by the sum of \$100,000. There is hereby earmarked from funds otherwise appropriated to the department of education the sum of \$100,000 for such program.

Item 18. The appropriation to the department of economic and community development for industrial access roads is reduced by the sum of \$10,000,000. There is hereby earmarked from the highway fund the sum of \$10,000,000 for industrial access roads which funds shall be released upon the request of the commissioner of economic and community development.

Item 19. There is hereby transferred the sum of \$2,200,000 from the Sinking Fund Account to the General Fund.

Item 20. The appropriation for the 200 new positions in the department of transportation is subject to House Bill No. 2026/Senate Bill No. 2006 becoming law.

Item 21. The appropriation of funds from the general fund necessary to fund the 543 new positions shall be reduced by the amount of funds necessary to fund 272 of such positions and appropriations related to such positions to effect at least a reduction of \$9,000,000; provided, however, that the ratio for the elimination of the positions between the non-executive departments and agencies and the executive departments and agencies shall be the same as that proposed for the addition of the new positions.

AND FURTHER AMEND by deleting the words and figures "thirty million dollars (\$30,000,000)" in the original Section 32 and by substituting instead the words and figures "fifty-eight million dollars (\$58,000,00)".

Mr. Bragg moved to amend Amendment No. 1 as follows:

**AMENDMENT NO. 1 TO AMENDMENT NO. 1**

Amend Amendment No. 1 by deleting the following language on the original page 19:

**WEDNESDAY, APRIL 9, 1986--88th LEGISLATIVE DAY**

Item \_\_\_\_\_. In addition to any other appropriation made in this act, there is hereby appropriated a sum of \$200,000 to the community mental health program for the following purpose:

- |                                                                   |    |         |
|-------------------------------------------------------------------|----|---------|
| 1. Increase to Continuation Program                               | \$ | 40,075  |
| 2. Expansion of Community Initiative<br>for Severely Mentally III | \$ | 159,925 |

and by substituting instead the following:

Item \_\_\_\_\_. In addition to any other appropriation made in this act, there is hereby appropriated a sum of \$400,000 to the department of mental health and mental retardation for continuation of community mental health programs.

AND FURTHER AMEND by deleting the following language on the original page 20:

Item \_\_\_\_\_. In addition to other funds appropriated by this act for the Department of Mental Health and Mental Retardation, there is also appropriated two hundred thousand dollars (\$200,000) for the department to contract with community based mental retardation agencies to provide for an increase not to exceed 10% in continuation of these programs.

and by substituting instead the following:

Item \_\_\_\_\_. In addition to other funds appropriated by this act for the Department of Mental Health and Mental Retardation, there is also appropriated four hundred thousand dollars (\$400,000) to the department for continuation of community mental retardation programs.

AND FURTHER AMEND by deleting the following language on the original page 38:

ITEM \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is hereby appropriated the sum of three million dollars (\$3,000,000) to the State Building Commission for the sole purpose of restoration of the State Capitol Building and Grounds subject to the approval of the Department of Finance and Administration.

and by substituting instead the following:

ITEM \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is hereby appropriated the sum of one million dollars (\$1,000,000) to the State Building Commission for the sole purpose of restoration of the State Capitol Building and Grounds subject to the approval of the Department of Finance and Administration.

**WEDNESDAY, APRIL 9, 1986--88th LEGISLATIVE DAY**

AND FURTHER AMEND by deleting the following language on the original page 40:

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is hereby appropriated the sum of one million nine hundred thousand dollars (\$1,900,000) for the purpose of implementation of Chapter \_\_\_\_ of the Public Acts of 1986 (House Bill 1962/Senate Bill 1907). The appropriation made in this item shall only take effect if House Bill 1962/Senate Bill 1907 becomes law.

and by substituting instead the following:

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is hereby appropriated the sum of two million nine hundred thousand dollars (\$2,900,000) for the purpose of implementation of Chapter \_\_\_\_ of the Public Acts of 1986 (House Bill 1962/Senate Bill 1907). The appropriation made in this item shall only take effect if House Bill 1962/Senate Bill 1907 becomes law.

AND FURTHER AMEND by deleting the following language on the original page 50:

Item \_\_\_\_\_. In addition to all other capital outlay funds appropriated to or for the state special schools, there is hereby appropriated an additional sum not to exceed six million dollars (\$6,000,000) in capital outlay funds for the school of the Deaf in Knoxville. The appropriation made in this item is subject to the approval of the commission of finance and administration.

AND FURTHER AMEND by deleting the following language on the original page 54:

Item 13. Of the funds appropriated for capital outlay in Section 1, Title III-24, \$12,000,000 shall be a nonrecurring appropriation.

and by substituting instead the following:

Item 13. Of the funds appropriated for capital outlay in Section 1, Title III-24, \$13,000,000 shall be a nonrecurring appropriation.

AND FURTHER AMEND by adding the following new section to be appropriately numbered:

Section \_\_\_\_.

Item 1. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$1,755,000 for the first year's debt service on the bonds authorized pursuant to House Bill No. 812/Senate Bill No. 833.

**WEDNESDAY, APRIL 9, 1986--88th LEGISLATIVE DAY**

Item 2. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$2,180,750 for the first year's debt service on the bonds authorized pursuant to House Bill No. 1822/Senate Bill No. 1804.

Item 3. There is hereby transferred the sum of \$5,500,000 from the Capital Projects Fund to the General Fund. Such funds shall be transferred from the following projects:

- |                                                                                         |              |
|-----------------------------------------------------------------------------------------|--------------|
| 1. Morgan County Regional<br>Correctional Facility<br>Program Renovation                | \$ 2,500,000 |
| 2. Southeastern Tennessee State<br>Regional Correctional Facility<br>Program Renovation | \$ 3,000,000 |

Item 4. It is the legislative intent to recognize a miscellaneous revenue loss of \$2,600,000 from legislation enacted during the 1986 session and that the \$4,400,000 loss or delay of revenue as a result of House Bill No. 1718/Senate Bill No. 1437 shall be recognized as nonrecurring.

AND FURTHER AMEND by deleting the following language from the original page 56:

AND FURTHER AMEND by deleting the words and figures "thirty million dollars (\$30,000,000)" in the original Section 32 and by substituting instead the words and figures "fifty-eight million dollars (\$58,000,000)".

and by substituting instead the following

AND FURTHER AMEND by deleting the words and figures "thirty million dollars (\$30,000,000)" in the original Section 32 and by substituting instead the words and figures "forty million dollars (\$40,000,000)".

AND FURTHER AMEND by adding the following new item to the appropriate section to be appropriately numbered and to read as follows:

Item \_\_\_\_\_. From the appropriations made in this act, there is hereby earmarked an amount of \$120,000 for the first year cost of carrying out the provisions of Chapter 568, Public Acts of 1986 (Senate Bill 1558/House Bill 1359).

On motion, Amendment No. 1 to Amendment No. 1 was adopted.

Thereupon, Amendment No. 1, as amended, was adopted.

Thereupon, House Bill No. 1385, as amended, passed its third and final consideration by the following vote:

**WEDNESDAY, APRIL 9, 1986--88th LEGISLATIVE DAY**

Ayes . . . . . 97  
Noes . . . . . 0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dills, Dixon, Drew, Duer, Ellis, Frensley, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Hawkins, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore, Murphy, Murray, Naifeh, Nance, Napier, Patterson, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--97.

A motion to reconsider was tabled.

**FURTHER CONSIDERATION OF HOUSE JOINT RESOLUTION NO. 250**

House Joint Resolution No. 250--Relative to proposing a Constitutional Amendment, lottery prohibition.

Mr. Kernell moved that House Joint Resolution No. 250 be read.

At the request of the sponsor, House Joint Resolution No. 250 was read by the Clerk.

Mr. Kernell moved that House Joint Resolution No. 250 be placed on the next Calendar which motion prevailed.

Mr. Love moved that House Bill No. 1494 be placed on the next Calendar, which motion prevailed.

Mr. Speaker McWherter relinquished the Chair to Mr. Bivens, Speaker pro tem.

House Bill No. 1437--To amend election laws.

On motion, House Bill No. 1437 was made to conform with Senate Bill No. 1662.

On motion, Senate Bill No. 1662, on same subject, was substituted for House Bill No. 1437.

Mr. Kernell moved that Senate Bill No. 1662 be passed on third and final consideration, which motion prevailed by the following vote:

**WEDNESDAY, APRIL 9, 1986--88th LEGISLATIVE DAY**

Ayes . . . . . 82  
Noes . . . . . 14

Representatives voting aye were: Bell, Bivens, Bragg, Brewer, Burnett, Byrd, Chiles, Clark (Davidson), Cobb, Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dills, Dixon, Drew, Ellis, Frensley, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Hawkins, Henry, Hobbs, Huskey, Ivy, Jared, Jones, Kent, King, Kisber, Love, May, McCroskey, McNally, Miller, Montgomery, Moore, Murphy, Murray, Naifeh, Nance, Napier, Patterson, Peroulas, Phillips, Pruitt, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stallings, Starnes, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Williams, Winningham, Wix, Wood, Work, Yelton and Mr. Speaker McWherter--82.

Representatives voting no were: Bewley, Buck, Clark (Sumner), Duer, Hurley, Lawson, McAfee, Moody, Rhinehart, Stafford, Swann, Tankersley, Whitson and Wolfe--14.

A motion to reconsider was tabled.

House Bill No. 1771--To increase compensation of governor.

On motion, House Bill No. 1771 was made to conform with Senate Bill No. 1469.

On motion, Senate Bill No. 1469, on same subject, was substituted for House Bill No. 1771.

Mr. McNally moved that Senate Bill No. 1469 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes . . . . . 83  
Noes . . . . . 13  
Present and not voting . . . . . 1

Representatives voting aye were: Bewley, Bivens, Bragg, Brewer, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DePriest, Dixon, Drew, Duer, Ellis, Frensley, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Hawkins, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Love, May, McCroskey, McNally, Miller, Montgomery, Moody, Moore, Murphy, Murray, Naifeh, Napier, Patterson, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Wix, Wolfe and Work--83.

**WEDNESDAY, APRIL 9, 1986--88th LEGISLATIVE DAY**

Representatives voting no were: Bell, Buck, Dills, Lawson, McAfee, Nance, Peroulas, Phillips, Turner, C. (Shelby), Winningham, Wood, Yelton and Mr. Speaker McWherter--13.

Representative present and not voting was: DeBerry--1.

A motion to reconsider was tabled.

House Bill No. 1789--To regulate hauling certain materials by motor vehicle.

Mr. Wheeler moved that House Bill No. 1789 be passed on third and final consideration.

Mr. Buck moved to amend as follows:

**AMENDMENT NO. 1**

Amend House Bill No. 1789 as follows:

SECTION 1. Tennessee Code Annotated, Section 39-3-1009, is amended by adding the following new subsection:

( ) The provisions of this section shall not apply to any motor vehicle which transports crushed stone, fill dirt and rock, soil, bulk sand, coal, phosphate muck, asphalt, concrete, other building materials, forest products, unfinished lumber, and agricultural lime, and which is loaded in compliance with the four inches (4") requirement of Tennessee Code Annotated, Section 55-11-109. Such exemption shall not apply to any load if any law enforcement officer sees any part of such material blowing off such vehicle.

SECTION 2. Tennessee Code Annotated, Section 55-11-109, is amended by adding the following new language to subsection (d):

The provisions of this section shall not apply to motor vehicles which transport crushed stone, fill dirt and rock, soil, bulk sand, coal, phosphate muck, asphalt, concrete, other building materials, forest products, unfinished lumber, agricultural lime and agricultural products and which are loaded in compliance with the four inches (4") requirement of this section. Such exemption shall not apply to any load if any law enforcement officer sees any part of such material blowing off such vehicle.

SECTION 3. This act shall take effect on becoming a law, the public welfare requiring it.

On motion, the amendment was adopted.

**WEDNESDAY, APRIL 9, 1986--88th LEGISLATIVE DAY**

Thereupon, House Bill No. 1789, as amended, passed its third and final consideration by the following vote:

Ayes . . . . .	92
Noes . . . . .	4
Present and not voting . . . . .	2

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Drew, Duer, Ellis, Frensley, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Hawkins, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Love, May, McAfee, McCroskey, McNally, Miller, Moore, Murphy, Murray, Naifeh, Nance, Napier, Pefoulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Winningham, Wix, Wolfe, Wood, Work, and Mr. Speaker McWherter--92.

Representatives voting no were: Montgomery, Moody, Williams and Yelton--4.

Representatives present and not voting were: Lawson and Patterson--2.

A motion to reconsider was tabled.

House Bill No. 1521--To establish program of day care assistance.

Ms. Pruitt moved that House Bill No. 1521 be passed on third and final consideration.

Mr. Starnes moved to amend as follows:

**AMENDMENT NO. 1**

Amend House Bill No. 1521 by deleting Section 1 and substituting instead the following:

**SECTION 1.** Tennessee Code Annotated, Title 14, Chapter 1, Part 1, is amended by adding the following language as a new appropriately designated section:

**SECTION \_\_\_\_.** (a) The general assembly finds and declares that there is a critical need for high quality, affordable day care services for economically disadvantaged parents and guardians of minor children.

(b) In order to encourage and facilitate the employment of economically disadvantaged parents and



guardians of minor children, the department of human services shall establish a pilot program of day care services in any county having a population of not less than four hundred seventy-thousand (470,000) nor more than four hundred eighty-thousand (480,000), according to the 1980 federal census or any subsequent federal census which shall serve at least one hundred (100) children. Under this pilot program, the department shall provide an in-grant or grants, the sum of which shall total no more than two hundred forty-three thousand five hundred dollars (\$243,500), to be utilized as follows: eighty thousand dollars (\$80,000) shall be provided as a grant to an operator or operators of a day care facility who is willing to establish a day care service in such county serving at least one hundred (100) children of low-income families. Such funds shall be used solely for equipment and supplies for such program. The remaining sum of one hundred sixty-three thousand five hundred dollars (\$163,500) shall be to fund care for an additional one hundred (100) children to be provided day care services under the pilot program established by this act.

(c) The department of human services shall promulgate, in accordance with the provisions of Tennessee Code Annotated, Title 4, Chapter 5, such rules as shall be necessary to implement the provisions of this act.

On motion, the amendment was adopted.

Mr. Starnes moved to amend as follows:

**AMENDMENT NO. 2**

Amend House Bill No. 1521 by adding the following new section immediately preceding the effective date section and by renumbering the effective date section accordingly:

SECTION \_\_\_\_\_. The provisions of this act shall not be construed to be an appropriation of funds and no funds shall be obligated or expended pursuant to this act unless such funds are specifically appropriated by the general appropriations act.

On motion, the amendment was adopted.

Mr. Bragg moved to amend as follows:

**AMENDMENT NO. 3**

Amend House Bill No. 1521 by deleting in Section 1(c) as amended by the House General Welfare Committee the following:

Under this pilot program, the department shall provide an in-grant or grants, the sum of which shall total no more than two hundred forty-three thousand five hundred dollars (\$243,500), to

**WEDNESDAY, APRIL 9, 1986--88th LEGISLATIVE DAY**

be utilized as follows: eighty thousand dollars (\$80,000) shall be provided as a grant to an operator or operators of a day care facility who is willing to establish a day care service in such county serving at least one hundred (100) children of low-income families. Such funds shall be used solely for equipment and supplies for such program. The remaining sum of one hundred sixty-three thousand five hundred dollars (\$163,500) shall be to fund care for an additional one hundred (100) children to be provided day care services under the pilot program established by this act.

and by substituting instead the following:

Under this pilot program the department shall provide a grant or grants the sum of which shall total no more than one hundred sixty-three thousand dollars (\$163,000) to fund care for the one hundred (100) children to be provided day care services under the pilot program.

On motion, the amendment was adopted.

Thereupon, House Bill No. 1521, as amended, passed its third and final consideration by the following vote:

Ayes . . . . .	93
Noes . . . . .	2

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Collier, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Drew, Duer, Ellis, Frensley, Gafford, Gaia, Garrett, Gill, Hassell, Hawkins, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, May, McCroskey, McNally, Miller, Montgomery, Moore, Murphy, Murray, Naifeh, Nance, Napier, Patterson, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--93.

Representatives voting no were: Harrill and Henry--2.

A motion to reconsider was tabled.

**FURTHER CONSIDERATION OF SENATE BILL NO. 433**

Senate Bill No. 433--To regulate soil erosion programs.

Mr. Moore moved that Senate Bill No. 433 be passed on third and final consideration.

# WEDNESDAY, APRIL 9, 1986--88th LEGISLATIVE DAY

Mr. Naifeh moved that Amendment No. 2 be rejected.

Mr. Buck moved that the motion be tabled, which motion failed by the followig vote:

Ayes . . . . .	42
Noes . . . . .	49
Present and not voting . . . . .	1

Representatives voting aye were: Bewley, Buck, Burnett, Collier, Copeland, Cross, Curlee, Darnell, Davis (Cocke), Davis (Gibson), Davis (Knox), DePriest, Dills, Gafford, Gaia, Harrill, Hawkins, Hobbs, Hurley, Huskey, Ivy, Lawson, Love, McCroskey, Montgomery, Moody, Nance, Napier, Peroulas, Robinson (Washington), Scruggs, Shirley, Stafford, Starnes, Turner, C. (Shelby), Wheeler, Whitson, Winningham, Wolfe, Wood, Work and Yelton--42.

Representatives voting no were: Bell, Bivens, Brewer, Chiles, Clark (Davidson), Cobb, Covington, Crain, Davidson, DeBerry, Dixon, Drew, Duer, Ellis, Frensley, Garrett, Gill, Hassell, Henry, Hillis, Jared, Jones, Kent, Kernell, King, Kisber, May, McNally, Miller, Murphy, Murray, Naifeh, Patterson, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Hamilton), Severance, Stallings, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, L. (Shelby), Ussery, West, Williams and Wix--49.

Representative present and not voting was: Byrd--1.

Mr. Cobb moved the previous question, which motion prevailed by the following vote:

Ayes . . . . .	61
Noes . . . . .	28

Representatives voting aye were: Bell, Bivens, Brewer, Clark (Davidson), Cobb, Covington, Crain, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), DeBerry, Dixon, Drew, Ellis, Frensley, Gafford, Gaia, Garrett, Gill, Hassell, Hillis, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Love, May, McAfee, McCroskey, McNally, Miller, Murphy, Murray, Naifeh, Patterson, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Severance, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, L. (Shelby), Webb, West, Wheeler, Williams, Winningham and Wix--61.

Representatives voting no were: Bewley, Buck, Clark (Sumner), Collier, Copeland, Cross, Davis (Knox), DePriest, Dills, Harrill, Hawkins, Hobbs, Hurley, Lawson, Montgomery, Moody, Nance, Napier, Peroulas, Robinson (Washington), Shirley, Stafford, Turner, C. (Shelby), Whitson, Wolfe, Wood, Work and Yelton--28.

Thereupon, the motion to reject Amendment No. 2 prevailed by the following vote:

**WEDNESDAY, APRIL 9, 1986--88th LEGISLATIVE DAY**

Ayes . . . . .	59
Noes . . . . .	34
Present and not voting . . . . .	1

Representatives voting aye were: Bivens, Bragg, Brewer, Clark (Davidson), Clark (Sumner), Cobb, Covington, Crain, Davidson, DeBerry, Dixon, Drew, Duer, Ellis, Frensley, Gafford, Gaia, Garrett, Gill, Hassell, Hawkins, Hillis, Huskey, Jared, Jones, Kent, Kernell, King, Kisber, Love, May, McNally, Miller, Montgomery, Murphy, Murray, Naifeh, Patterson, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Severance, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Williams and Wix--59.

Representatives voting no were: Bell, Bewley, Buck, Burnett, Collier, Copeland, Cross, Curlee, Darnell, Davis (Gibson), Davis (Knox), DePriest, Harrill, Hobbs, Hurley, Ivy, Lawson, McAfee, McCroskey, Moody, Nance, Napier, Peroulas, Robinson (Washington), Scruggs, Shirley, Stafford, Turner, C. (Shelby), Whitson, Winningham, Wolfe, Wood, Work and Yelton--34.

Representative present and not voting was: Byrd--1.

Mr. Moody moved to amend as follows:

**AMENDMENT NO. 3**

Amend Senate Bill No. 433 by deleting from Section 8, as amended, the second paragraph which creates a special agency account known as the "compensation fund".

Amendment No. 3 failed by the following vote:

Ayes . . . . .	32
Noes . . . . .	59

Representatives voting aye were: Bewley, Brewer, Burnett, Clark (Sumner), Copeland, Cross, Curlee, Darnell, Davis (Knox), DePriest, Drew, Duer, Ellis, Frensley, Harrill, Hawkins, Hurley, Lawson, McCroskey, Montgomery, Moody, Nance, Napier, Peroulas, Robinson (Washington), Shirley, Swann, Webb, Whitson, Wood, Work and Yelton--32.

Representatives voting no were: Bell, Bivens, Buck, Chiles, Clark (Davidson), Cobb, Collier, Covington, Crain, Davidson, Davis (Cocke), Davis (Gibson), DeBerry, Dills, Dixon, Gafford, Gaia, Garrett, Gill, Hassell, Henry, Hillis, Hobbs, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, May, McAfee, McNally, Moore, Murphy, Murray, Naifeh, Patterson, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Scruggs, Severance, Stallings, Starnes, Tankersley, Tanner, Turner (Hamilton), Turner, L. (Shelby), West, Wheeler, Williams, Winningham, Wix and Wolfe--59.

**WEDNESDAY, APRIL 9, 1986--88th LEGISLATIVE DAY**

Mr. McAfee moved to amend as follows:

**AMENDMENT NO. 4**

Amend Senate Bill No. 433 by deleting Section 6 and by substituting instead the following:

SECTION \_\_\_\_ . Tennessee Code Annotated, Section 67-4-409, is amended in subsection (a) by deleting the words and figures "twenty-six cents (26¢)" and by substituting instead the words and figures "twenty-eight cents (28¢)

AND FURTHER AMEND by deleting Section 7 in its entirety and by substituting instead the following:

SECTION 7. Tennessee Code Annotated, Section 67-4-409, is amended by adding the following new subsection:

(c) The increase in revenue generated by the increased tax rate levied by the provisions of Section 6 of this act and two cents (2¢) of the tax otherwise levied by Tennessee Code Annotated, Section 67-4-409 (a) shall be credited to a special agency account in the state general fund known as the "1986 Wetland Acquisition Fund". Expenditures from such fund shall only be made to implement and effectuate the purposes of this act. Funds deposited in such fund shall not revert at the end of any fiscal year and all interest accruing on investments and deposits of the fund shall be returned to and made a part of the fund. Provided, however, any funds not obligated or expended by June 30, 1996 shall revert to the state general fund and the "1986 Wetland Acquisition Fund" shall be abolished and cease to exist.

On motion, the amendment was adopted.

Mr. Collier moved to amend as follows:

**AMENDMENT NO. 5**

Amend Senate Bill No. 433 by deleting Section 6 in its entirety and by renumbering subsequent sections accordingly.

Mr. Cobb moved that Amendment No. 5 be tabled, which motion prevailed by the following vote:

Ayes . . . . .	47
Noes . . . . .	45

Representatives voting aye were: Bell, Bivens, Bragg, Brewer, Clark (Davidson), Cobb, Covington, Crain, Davidson, DeBerry, Dills, Dixon, Drew, Gaia, Garrett, Gill, Hillis, Jared, Jones, Kent, Kernell, King, Kisber, May, McAfee, McNally, Miller, Moore, Murphy, Murray, Naifeh, Patterson, Pruitt, Rhinehart, Robinson (Davidson), Robinson

**WEDNESDAY, APRIL 9, 1986--88th LEGISLATIVE DAY**

(Hamilton), Scruggs, Severance, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, L. (Shelby), West and Williams --47.

Representatives voting no were: Bewley, Buck, Burnett, Clark (Sumner), Collier, Copeland, Cross, Curlee, Davis (Cocke), Davis (Gibson), Davis (Knox), DePriest, Ellis, Frensley, Gafford, Harrill, Hassell, Hawkins, Henry, Hobbs, Hurley, Huskey, Ivy, Lawson, McCroskey, Montgomery, Moody, Nance, Napier, Peroulas, Phillips, Ridgeway, Robinson (Washington), Shirley, Stafford, Turner, C. (Shelby), Ussery, Webb, Whitson, Winningham, Wix, Wolfe, Wood, Work and Yelton--45.

Mr. Bewley moved to amend as follows:

**AMENDMENT NO. 6**

Amend Senate Bill No. 433 by adding:

If this house does not pray for and get some rain, we will have to call this the West Tennessee Desert.

Mr. Moore moved that Amendment No. 6 be tabled, which motion prevailed by the following vote:

Ayes . . . . .	62
Noes . . . . .	28

Representatives voting aye were: Bell, Bivens, Brewer, Clark (Davidson), Cobb, Covington, Crain, Curlee, Davidson, Davis (Cocke), Davis (Gibson), DeBerry, Dixon, Drew, Duer, Ellis, Frensley, Gafford, Gaia, Garrett, Gill, Hassell, Henry, Hillis, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Love, McAfee, McNally, Miller, Moody, Moore, Murphy, Murray, Naifeh, Nance, Napier, Patterson, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Severance, Shirley, Stallings, Starnes, Swann, Tankersley, Tanner, Webb, West, Wheeler, Williams, and Winningham--62.

Representatives voting no were: Bewley, Burnett, Chiles, Clark (Sumner), Collier, Copeland, Cross, Davis (Knox), DePriest, Harrill, Hawkins, Hobbs, Hurley, Lawson, McCroskey, Montgomery, Peroulas, Robinson (Washington), Stafford, Turner (Hamilton), Turner, L. (Shelby), Ussery, Whitson, Wix, Wolfe, Wood, Work and Yelton--28.

Mr. Rhinehart moved to amend as follows:

**AMENDMENT NO. 7**

Amend Senate Bill No. 433 by adding before the effective date section the following new section:

**SECTION \_\_\_\_.** The funds generated by the two cents (2¢) of the tax otherwise levied by Tennessee Code Annotated, Section 67-

**WEDNESDAY, APRIL 9, 1986--88th LEGISLATIVE DAY**

4-409(a) shall take effect on July 1, 1987.

Amendment No. 7 was adopted by the following vote:

Ayes . . . . .	80
Noes . . . . .	8

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dills, Dixon, Drew, Gaia, Garrett, Gill, Hassell, Hillis, Hobbs, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore, Murphy, Murray, Naifeh, Nance, Napier, Patterson, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, and Yelton --80.

Representatives voting no were: Buck, Collier, Crain, Ellis, Hawkins, Henry, Hurley and Stafford--8.

Mr. DePriest moved that Senate Bill No. 433 be re-referred to the committee on Calendar and rules.

Mr. Gill moved that the motion be tabled, which motion prevailed by the following vote:

Ayes . . . . .	73
Noes . . . . .	21
Present and not voting . . . . .	1

Representatives voting aye were: Bell, Bivens, Brewer, Burnett, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dills, Dixon, Drew, Duer, Gafford, Gaia, Garrett, Gill, Hassell, Hawkins, Henry, Hillis, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Love, May, McAfee, McNally, Miller, Moore, Murphy, Murray, Naifeh, Patterson, Peroulas, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Scruggs, Severance, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton and Mr. Speaker McWherter--73.

Representatives voting no were: Bewley, Buck, Collier, Cross, Curlee, DePriest, Ellis, Frensley, Harrill, Hobbs, Hurley, McCroskey, Montgomery, Moody, Nance, Napier, Phillips, Robinson (Washington), Shirley, Stafford and Work--21.

Representative present and not voting was: Bragg--1.

## WEDNESDAY, APRIL 9, 1986--88th LEGISLATIVE DAY

Thereupon, Senate Bill No. 433, as amended, passed its third and final consideration by the following vote:

Ayes . . . . .	69
Noes . . . . .	25
Present and not voting . . . . .	2

Representatives voting aye were: Bivens, Brewer, Burnett, Clark (Davidson), Cobb, Copeland, Covington, Crain, Darnell, Davidson, Davis (Gibson), Davis (Knox), DeBerry, Dills, Dixon, Drew, Duer, Ellis, Gafford, Gaia, Gill, Hassell, Henry, Hillis, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, May, McAfee, McNally, Miller, Moore, Murphy, Murray, Naifeh, Nance, Patterson, Peroulas, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Scruggs, Severance, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, L. (Shelby), Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton and Mr. Speaker McWherter--69.

Representatives voting no were: Bell, Bewley, Bragg, Buck, Clark (Sumner), Collier, Cross, Curlee, DePriest, Frensley, Garrett, Harrill, Hawkins, Hobbs, Hurley, McCroskey, Montgomery, Moody, Napier, Phillips, Robinson (Washington), Shirley, Stafford, Ussery and Work--25.

Representatives present and not voting were: Byrd and Love--2.

A motion to reconsider was tabled.

House Bill No. 1549--To amend Retailers' Sales Tax Act.

On motion, House Bill No. 1549 was made to conform with Senate Bill No. 1611.

On motion, Senate Bill No. 1611, on same subject, was substituted for House Bill No. 1549.

Mr. Starnes moved that Senate Bill No. 1611 be passed on third and final consideration.

Mr. Lawson moved to amend as follows:

### AMENDMENT NO. 1

Amend Senate Bill No. 1611 by adding the following language at the end of the amendatory subsection in Section 1:

Section \_\_\_\_\_. Provided, however, that no enterprise which is exempt from taxation pursuant to this subsection which serves, sells or permits consumption of beer or alcoholic beverages on the premises of such enterprise shall be exempt from payment of the tax levied pursuant to Tennessee Code Annotated, Section 67-6-212.



**WEDNESDAY, APRIL 9, 1986--88th LEGISLATIVE DAY**

Mr. Starnes moved that Amendment No. 1 be tabled, which motion failed by the following vote:

Ayes . . . . .	41
Noes . . . . .	49

Representatives voting aye were: Bell, Bivens, Bragg, Brewer, Burnett, Copeland, Covington, Crain, Cross, Davidson, DeBerry, DePriest, Dixon, Ellis, Frensley, Gafford, Garrett, Gill, Ivy, Jared, King, Kisber, Love, Miller, Murphy, Murray, Naifeh, Patterson, Phillips, Pruitt, Rhinehart, Robinson (Hamilton), Stallings, Starnes, Turner (Hamilton), Turner, L. (Shelby), West, Wheeler, Work, Yelton and Mr. Speaker McWherter --41.

Representatives voting no were: Bewley, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Curlee, Darnell, Davis (Cocke), Davis (Gibson), Davis (Knox), Drew, Duer, Harrill, Hassell, Hawkins, Henry, Hillis, Hobbs, Hurley, Huskey, Jones, Kent, Lawson, May, McAfee, McCroskey, McNally, Montgomery, Moody, Nance, Napier, Peroulas, Robinson (Davidson), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Swann, Tankersley, Tanner, Turner, C. (Shelby), Webb, Whitson, Williams, Winningham, Wolfe and Wood--49.

Mr. Starnes moved that Senate Bill No. 1611 be placed on the next Calendar, which motion prevailed.

House Bill No. 759--To amend Title 47, Chapter 1, 2, 5, 8 and 9, Code.

On motion, House Bill No. 759 was made to conform with Senate Bill No. 715.

On motion, Senate Bill No. 715, on same subject, was substituted for House Bill No. 759.

Mr. Tanner moved that Senate Bill No. 715 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes . . . . .	94
Noes . . . . .	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Collier, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Drew, Duer, Ellis, Frensley, Gafford, Garrett, Gill, Harrill, Hassell, Hawkins, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, May, McCroskey, McNally, Miller, Montgomery, Moody, Moore, Murphy, Murray, Naifeh, Nance, Napier, Patterson, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L.

**WEDNESDAY, APRIL 9, 1986--88th LEGISLATIVE DAY**

(Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--94.

A motion to reconsider was tabled.

Mr. Speaker McWherter resumed the Chair.

House Bill No. 1851--To provide that communications between patient and psychiatrist be privileged.

On motion, House Bill No. 1851 was made to conform with Senate Bill No. 1900.

On motion, Senate Bill No. 1900, on same subject, was substituted for House Bill No. 1851.

Mr. Murphy moved that Senate Bill No. 1900 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes . . . . .	94
Noes . . . . .	1

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Drew, Duer, Ellis, Frensley, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Hawkins, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moore, Murphy, Murray, Naifeh, Nance, Napier, Patterson, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Stafford, Stallings, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--94.

Representative voting no was: Shirley--1.

A motion to reconsider was tabled.

House Bill No. 1838--To regulate certificates of need, adolescent psychiatric facilities.

Mr. Miller moved that House Bill No. 1838 be passed on third and final consideration.

Mr. Miller moved to amend as follows:

**AMENDMENT NO. 1**

Amend House Bill No. 1838 in the amendatory language of subsection (h) (4) (B) and the first sentence of (h) (5) in section 1

**WEDNESDAY, APRIL 9, 1986--88th LEGISLATIVE DAY**

by deleting the words "medically indigent" and substituting the following:

medicaid recipients and/or medically indigent

AND FURTHER AMEND in the last sentence of amendatory subsection (h) (5) of Section 1 by deleting the words "indigent care" and substituting the words "such care"

On motion, the amendment was adopted.

Thereupon, House Bill No. 1838, as amended, passed its third and final consideration by the following vote:

Ayes . . . . .	92
Noes . . . . .	3

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Collier, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Drew, Duer, Ellis, Frensley, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Hawkins, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, May, McCroskey, McNally, Miller, Montgomery, Moody, Moore, Murphy, Murray, Naifeh, Nance, Napier, Patterson, Peroulas, Phillips, Pruitt, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--92.

Representatives voting no were: McAfee, Rhinehart and Starnes --3.

A motion to reconsider was tabled.

House Bill No. 770--To enact Fair Dealership Act.

Mr. Henry moved that House Bill No. 770 be passed on third and final consideration.

Mr. Henry moved to amend as follows:

**AMENDMENT NO. 1**

Amend House Bill No. 770 by substituting for Sections 2 through 12 thereof the following:

SECTION 2. Tennessee Code Annotated, Section 47-25-311 is amended by substituting for subpart (c)(1) thereof the following:

(c)(1) A penalty of one hundred dollars (\$100.00) for any initial violation or non-compliance with any provision of this part.

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it. This act shall apply to all assessments of penalty made on or after the effective date of this act and shall also apply to all assessments of penalty made prior to the effective date of this act which remain unpaid as of the effective date of this act.

On motion, the amendment was adopted.

Thereupon, House Bill No. 770, as amended, passed its third and final consideration by the following vote:

Ayes . . . . . 93  
Noes . . . . . 0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Clark (Davidson), Clark (Sumner), Collier, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Duer, Ellis, Frensley, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Hawkins, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore, Murphy, Murray, Naifeh, Nance, Napier, Patterson, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--93.

A motion to reconsider was tabled.

House Bill No. 1702--To provide for deputies and assistants, certain county offices.

Mr. Starnes moved that House Bill No. 1702 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes . . . . . 93  
Noes . . . . . 0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Clark (Davidson), Clark (Sumner), Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Drew, Duer, Ellis, Frensley, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Hawkins, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kernell, King, Kisber, May, McCroskey, McNally, Miller,

**WEDNESDAY, APRIL 9, 1986--88th LEGISLATIVE DAY**

Montgomery, Moody, Moore, Murphy, Murray, Naifeh, Nance, Napier, Patterson, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--93.

A motion to reconsider was tabled.

Mr. Naifeh moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 726 out of order, which motion prevailed.

House Joint Resolution No. 726--Relative to recess, House of Representatives--By Naifeh and Henry.

On motion, the rules were suspended for the immediate consideration of the resolution.

Mr. Naifeh moved that House Joint Resolution No. 726 be adopted, which motion prevailed by the following vote:

Ayes . . . . .	79
Noes . . . . .	9
Present and not voting . . . . .	2

Representatives voting aye were: Bell, Bewley, Bivens, Buck, Burnett, Byrd, Clark (Davidson), Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DePriest, Dixon, Drew, Duer, Ellis, Frensley, Gaia, Garrett, Gill, Hassell, Hawkins, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, King, Kisber, Lawson, May, McAfee, McCroskey, McNally, Miller, Moody, Moore, Murphy, Murray, Naifeh, Napier, Patterson, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Scruggs, Severance, Shirley, Stafford, Stallings, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Wolfe, Work and Yelton--79.

Representatives voting no were: Bragg, Gafford, Kernell, Montgomery, Nance, Robinson (Washington), Turner, C. (Shelby), Winningham and Wood--9.

Representatives present and not voting were: Robinson (Hamilton) and Wolfe--2.

A motion to reconsider was tabled.

House Bill No. 821--To enact Knoxville Model College Access Program.

**WEDNESDAY, APRIL 9, 1986--88th LEGISLATIVE DAY**

Mr. Drew moved that House Bill No. 821 be passed on third and final consideration.

Mr. Work moved to amend as follows:

**AMENDMENT NO. 1**

Amend House Bill No. 821 by deleting from item 2 of Section 1 the words "who do not meet" and by substituting instead the words "who may not meet";

AND FURTHER AMEND by deleting item 6 of Section 1 in its entirety, and by substituting instead the following:

6. Establishment of a "workshop" program for inner-city high school students and college students attending a college or university in Knoxville.

AND FURTHER AMEND by deleting from Section 2 the words "Knoxville College" and by substituting instead the language "the city of Knoxville board of education, or its designee".

AND FURTHER AMEND by deleting from Section 3 the words "Knox County" and by substituting instead the words "the city of Knoxville".

AND FURTHER AMEND by deleting Section 4 in its entirety renumbering the effective date section accordingly.

AND FURTHER AMEND by deleting the date "1985" in the effective date section and by substituting instead the date "1986".

On motion, the amendment was adopted.

Thereupon, House Bill No. 821, as amended, passed its third and final consideration by the following vote:

Ayes . . . . .	96
Noes . . . . .	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Clark (Davidson), Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Drew, Duer, Ellis, Frensley, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Hawkins, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore, Murphy, Murray, Naifeh, Nance, Napier, Patterson, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler,

## WEDNESDAY, APRIL 9, 1986--88th LEGISLATIVE DAY

Whitson, Williams, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--96.

A motion to reconsider was tabled.

House Joint Resolution No. 533--Relative to study, need for improved day care services.

Mr. Naifeh moved that House Joint Resolution No. 533 be adopted.

Mr. Starnes moved to amend as follows:

### AMENDMENT NO. 1

Amend House Joint Resolution No. 533 by deleting from the first resolving clause the language between the words "consist of" and the word "speakers", and by substituting instead the following language:

three (3) members of the House General Welfare Committee and three (3) members of the Senate General Welfare, Health and Human Resources Committee to be appointed by the respective chairman

On motion, the amendment was adopted.

Ms. Turner (Hamilton) moved to amend as follows:

### AMENDMENT NO. 2

Amend House Joint Resolution No. 533 in the first resolving clause by adding the following:

In addition to the other members, there shall be two (2) additional members appointed from each house from metropolitan areas for a total of five (5) members from each house.

Ms. DeBerry moved that Amendment No. 2 be tabled, which motion prevailed by the following vote:

Ayes . . . . .	64
Noes . . . . .	13
Present and not voting . . . . .	2

Representatives voting aye were: Bivens, Bragg, Brewer, Buck, Chiles, Clark (Davidson), Clark (Sumner), Covington, Crain, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dills, Dixon, Drew, Ellis, Frensey, Gaia, Gill, Harrill, Hassell, Hawkins, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, King, Kisber, May, McCroskey, McNally, Miller, Montgomery, Moody, Moore, Murphy, Nance, Napier, Peroulas, Pruitt, Rhinehart, Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Stafford, Stallings, Swann, Tankersley, Tanner, West, Wheeler, Whitson, Williams, Wix, Wolfe, Work--64.

**WEDNESDAY, APRIL 9, 1986--88th LEGISLATIVE DAY**

Representatives voting no were: Bell, Bewley, Byrd, Cross, McAfee, Murray, Phillips, Ridgeway, Scruggs, Turner (Hamilton), Ussery, Webb and Yelton--13.

Representatives present and not voting were: Lawson and Patterson--2.

Thereupon, House Joint Resolution No. 533, as amended, was adopted by the following vote:

Ayes . . . . .	96
Noes . . . . .	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Drew, Duer, Ellis, Frensey, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Hawkins, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moore, Murphy, Murray, Naifeh, Nance, Napier, Patterson, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--96.

A motion to reconsider was tabled.

House Bill No. 1784--To regulate erection of buildings, municipal planning commission.

On motion, House Bill No. 1784 was made to conform with Senate Bill No. 1495.

On motion, Senate Bill No. 1495, on same subject, was substituted for House Bill No. 1784.

Mr. Darnell moved that Senate Bill No. 1495 be passed on third and final consideration.

Mr. Wheeler moved to amend as follows:

**AMENDMENT NO. 1**

Amend Senate Bill No. 1495 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

Section \_\_\_\_\_. The provisions of this act shall not apply in counties having a population of



**WEDNESDAY, APRIL 9, 1986--88th LEGISLATIVE DAY**

not less than

nor more than

67,300

67,400

34,800

34,900

24,590

24,600

according to the 1980 federal census or any subsequent federal census.

On motion, the amendment was adopted.

Ms. Patterson moved to amend as follows:

**AMENDMENT NO. 2**

Amend Senate Bill No. 1495 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

Section \_\_\_\_\_. The provisions of this act shall not apply in any county having a population of not less than 143,900 nor more than 144,000 according to the 1980 federal census or any subsequent federal census.

On motion, the amendment was adopted.

Mr. Tankersley moved to amend as follows:

**AMENDMENT NO. 3**

Amend Senate Bill No. 1495 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

Section \_\_\_\_\_. The provisions of this act shall not apply in counties having a population of:

not less than

nor more than

88,700

88,800

74,500

74,600

77,700

77,800

according to the 1980 federal census of population or any subsequent federal census.

On motion, the amendment was adopted.

**WEDNESDAY, APRIL 9, 1986--88th LEGISLATIVE DAY**

Mr. Darnell moved to amend as follows:

**AMENDMENT NO. 4**

Amend Senate Bill No. 1495 by inserting the following new section before the effective date section and by renumbering the effective date section accordingly:

Section \_\_\_\_\_. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

On motion, the amendment was adopted.

Thereupon, Senate Bill No. 1495, as amended, passed its third and final consideration by the following vote:

Ayes . . . . .	70
Noes . . . . .	19
Present and not voting . . . . .	2

Representatives voting aye were: Bell, Bewley, Bivens, Brewer, Buck, Burnett, Byrd, Clark (Davidson), Clark (Sumner), Cobb, Collier, Copeland, Covington, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Ellis, Garrett, Gill, Hassell, Hillis, Hobbs, Huskey, Jared, Kent, King, Kisber, Lawson, McNally, Miller, Moore, Murphy, Murray, Naifeh, Nance, Napier, Phillips, Pruitt, Rhinehart, Robinson (Davidson), Robinson (Hamilton), Scruggs, Severance, Shirley, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Williams, Wix, Wood, Work, Yelton and Mr. Speaker McWherter--70.

Representatives voting no were: Chiles, Crain, Dills, Duer, Harrill, Hawkins, Hurley, Kernell, May, McAfee, McCroskey, Montgomery, Moody, Peroulas, Ridgeway, Robinson (Washington), Stafford, Whitson and Wolfe --19.

Representatives present and not voting were: Frensley and Patterson--2.

A motion to reconsider was tabled.

House Bill No. 1723--To create public guardianship program for elderly.

On motion, House Bill No. 1723 was made to conform with Senate Bill No. 1735.

**WEDNESDAY, APRIL 9, 1986--88th LEGISLATIVE DAY**

On motion, Senate Bill No. 1735, on same subject, was substituted for House Bill No. 1723.

Ms. DeBerry moved that Senate Bill No. 1735 be passed on third and final consideration.

Ms. DeBerry moved to amend as follows:

**AMENDMENT NO. 1**

Amend Senate Bill No. 1735 by adding the following to Section 2:

"It is the intent of the General Assembly that nothing contained in this Act will affect the powers of the court under Tennessee Code Annotated Title 34, Chapter 4, Parts 1 and 2, nor to create additional powers not contained therein. The District Public Guardian shall not serve in more than one capacity in any one proceeding under Tennessee Code Annotated, Title 34, Chapter 4, Parts 1 and 2."

AND FURTHER AMEND by deleting the last sentence of Section 3 and substituting the following:

"The commission on aging shall provide a coordinator to monitor program development and operation, and shall contract with its nine area agencies on aging whose staff shall serve as district public guardian in each development district."

AND FURTHER AMEND by deleting section 4 (1) and substituting instead the following:

"The duties and power of the district public guardian shall be as follows:

(a) To serve as limited guardian, guardian ad litem, adversary counsel, or conservator under the "Limited Guardianship Proceedings for Disabled Persons Law" or the "Conservatorship Law of 1980" as set forth in Tennessee Code Annotated, Title 34, Chapter 4, Parts 1 and 2, respectively, for persons who are sixty (60) years of age or older who have no family members or other person, bank, or corporation willing and able to serve as a limited guardian or conservator. The Court must appoint the District Public Guardian to serve as limited guardian, guardian ad litem, adversary counsel or conservator as the case may be, in each court proceeding.

(b) The District Public Guardian shall not have any power or authority beyond that set forth for a limited guardian, guardian ad litem, adversary counsel or conservator has set forth in Tennessee Code Annotated Title 34, Chapter 4, Parts 1 and 2."

On motion, the amendment was adopted.

**WEDNESDAY, APRIL 9, 1986--88th LEGISLATIVE DAY**

Thereupon, Senate Bill No. 1735, as amended, passed its third and final consideration by the following vote:

Ayes . . . . .	92
Noes . . . . .	0

Representatives voting aye were: Bell, Bewley, Bivens, Brewer, Buck, Burnett, Byrd, Clark (Davidson), Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cooke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Drew, Duer, Ellis, Frensley, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Hawkins, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, May, McAfee, McCroskey, McNally, Miller, Moody, Moore, Murphy, Murray, Nance, Napier, Patterson, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--92.

A motion to reconsider was tabled.

House Bill No. 1578--To enact Comprehensive Tax Restructure Act.

On motion, House Bill No. 1578 was made to conform with Senate Bill No. 1629.

On motion, Senate Bill No. 1629, on same subject, was substituted for House Bill No. 1578.

Mr. Brewer moved that Senate Bill No. 1629 be passed on third and final consideration.

Mr. Burnett moved to amend as follows:

**AMENDMENT NO. 1**

Amend Senate Bill No. 1629 by inserting the following new sections immediately preceding the last section and by renumbering the subsequent section accordingly:

SECTION \_\_\_\_ Tennessee Code Annotated, Section 67-3-603  
(a)(1) is amended by deleting the words and figures "twelve cents (\$.12)" where they appear and by substituting instead the words and figures "fifteen cents (\$.15)".

SECTION \_\_\_\_ Tennessee Code Annotated, Section 67-3-603  
(a)(2) is amended by deleting the words and figures "eight cents (\$.08)" where they appear and by substituting instead the words and figures "eleven cents (\$.11)".

**WEDNESDAY, APRIL 9, 1986--88th LEGISLATIVE DAY**

SECTION \_\_\_\_ . Tennessee Code Annotated, Section 67-3-603 (a) (2) is amended by deleting the second paragraph in its entirety.

SECTION \_\_\_\_ . Tennessee Code Annotated, Section 67-3-604 (a) (1) is amended by deleting the words and figures "twelve cents (\$.12)" where they appear and by substituting instead the words and figures "fifteen cents (\$.15)".

SECTION \_\_\_\_ . Tennessee Code Annotated, Section 67-3-604 (a) (2) is amended by deleting the words and figures "eight cents (\$.08)" where they appear and by substituting instead the words and figures "eleven cents (\$.11)".

SECTION \_\_\_\_ . Tennessee Code Annotated, Section 67-3-604 (a) (2) is amended by deleting the second paragraph in its entirety.

SECTION \_\_\_\_ . Tennessee Code Annotated, Section 67-3-803, is amended by deleting subsection (a) in its entirety and by substituting instead the following:

(a) An excise tax of fifteen cents (\$.15) per gallon is imposed on the sale of motor vehicle fuel by any person in this state. Any person paying the tax who, in turn, sells or distributes such fuel to another, whether or not for use, shall include the tax as part of the selling price of the fuel. Any person who subsequently resells such fuel shall include the tax paid as part of the selling price of the fuel. Such tax shall, however, be included in the sales price of the fuel, as that term is used in the Retailer's Sales Tax Act, compiled in chapter 6 of this title, for purposes of calculating any applicable sales or use tax, even though the tax may be separately stated by the dealer or distributor.

SECTION \_\_\_\_ . Tennessee Code Annotated, Section 67-3-803 (c) is amended by deleting the words and figures "nine cents (\$.09)" where they appear and by substituting instead the words and figures "twelve cents (\$.12)".

SECTION \_\_\_\_ . Tennessee Code Annotated, Section 67-3-803 is amended by deleting subsection (b) in its entirety, and by redesignating subsequent subsections accordingly.

SECTION \_\_\_\_ . Tennessee Code Annotated, Section 67-3-1103 (a) is amended by deleting the words and figures "nine cents (\$.09)" where they appear and by substituting instead the words and figures "twelve cents (\$.12)".

SECTION \_\_\_\_ . Tennessee Code Annotated, Section 67-3-617, is amended by deleting subsection (c)(3) in its entirety.

SECTION \_\_\_\_ . Tennessee Code Annotated, Section 67-3-617 is amended by adding the following as a new subsection:

**WEDNESDAY, APRIL 9, 1986--88th LEGISLATIVE DAY**

( ) Revenues from the increases in taxes imposed by sections 67-3-603, 67-3-604, 67-3-803 and 67-3-1103, effective 1986, shall be distributed and allocated as follows:

(1) Amounts required to be paid to the state sinking fund pursuant to title 9, chapter 9;

(2) Three million dollars (\$3,000,000) per annum, beginning on July 1, 1986, to the highway fund for the use and benefit of certain mass transit projects; and

(3) All other amounts entirely to the highway fund, to be allocated as follows:

(A) \_\_\_ for maintenance of the state system highways; and

(B) \_\_\_ for construction of the primary system highways.

SECTION \_\_\_. All funds from the increase in taxes imposed by this act shall be placed in a separate account and, to the extent not required for the projects enumerated in this act, shall be invested pursuant to section 9-4-603, with the investment income credited to the highway fund.

SECTION \_\_\_. During the 1986-1987 fiscal year, the funds generated under the provisions of this act shall be used only for the projects specified in the March 25, 1986 Proposed Fiscal Year 1986-87 Transportation Improvement Plan and Additional Construction Projects. No projects shall be deleted from this plan without the approval of the speakers of the House of Representatives and the Senate.

SECTION \_\_\_. In addition to any performance bond required under state law, any general contractor constructing roads authorized by this act shall warrant for six (6) years from the date of completion that such work has been performed in a workman like manner.

SECTION \_\_\_. The projects listed in the memorandum dated April 1, 1986 from Commissioner Dale Kelley to Senator Henry, Senator Darnell, Representative Bragg and Representative Robinson shall constitute and comprise the projects to be completed no later than the end of the 1998-1999 fiscal year, and the provisions of such memorandum are hereby incorporated herein by reference. No project shall be deleted or changed from such memorandum without the approval of the Speaker of the Senate and the Speaker of the House of Representatives.

Provided, however, the reference in such memorandum on page 2 of 2 headed BICENTENNIAL PARKWAY SPECIFIC DESCRIPTIONS shall include after the language "interstate 155 Extension" the following:

from the south end of the Dyersburg Bypass near SR-412 (US-20) to I-40 near Jackson

SECTION \_\_\_\_ . In addition to the other projects included in the March 25, 1986 Transportation Improvement Plan, there shall be included in the Cannnon County SR-1 (US-70S) SR-64 to Woodbury bridge construction project described herein the widening of SR-1 to four lanes from Woodbury to the Rutherford County line, and in the Smith County SR-25 Carthage Bypass right-of-way project described therein necessary bridge design.

The sections added by the provisions of this amendment shall take effect June 1, 1986, the public welfare requiring it.

Mr. Brewer moved the previous question, which motion prevailed by the following vote:

Ayes . . . . .	65
Noes . . . . .	26

Representatives voting aye were: Bell, Bewley, Bragg, Buck, Burnett, Byrd, Clark (Davidson), Clark (Sumner), Cobb, Collier, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DePriest, Dills, Dixon, Drew, Duer, Frensley, Gafford, Gaia, Garrett, Hassell, Hawkins, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Kent, King, Kisber, May, McCroskey, McNally, Montgomery, Moore, Murray, Naifeh, Napier, Patterson, Peroulas, Phillips, Pruitt, Ridgeway, Robinson (Davidson), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Swann, Tankersley, Ussery, Webb, Wheeler, Whitson, Williams, Winningham, Wolfe, Wood and Work--65.

Representatives voting no were: Bivens, Covington, Crain, Cross, Curlee, Darnell, DeBerry, Ellis, Gill, Harrill, Jones, Kernell, Lawson, McAfee, Miller, Moody, Murphy, Nance, Robinson (Hamilton), Stallings, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), West and Yelton--26.

Thereupon, Amendment No. 1 was adopted by the following vote:

Ayes . . . . .	58
Noes . . . . .	38

Representatives voting aye were: Bell, Bragg, Brewer, Buck, Burnett, Byrd, Clark (Davidson), Clark (Sumner), Cobb, Collier, Davidson, Davis (Cocke), Davis (Gibson), DePriest, Dills, Drew, Duer, Frensley, Gafford, Gaia, Garrett, Hassell, Hawkins, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Kent, King, Kisber, May, McCroskey, McNally, Montgomery, Moore, Naifeh, Napier, Patterson, Peroulas,

**WEDNESDAY, APRIL 9, 1986--88th LEGISLATIVE DAY**

Phillips, Rhinehart, Ridgeway, Robinson (Washington), Scruggs, Severance, Stafford, Swann, Tankersley, Ussery, Wheeler, Whitson, Williams, Winningham, Wolfe and Work--58.

Representatives voting no were: Bewley, Bivens, Chiles, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davis (Knox), DeBerry, Dixon, Ellis, Gill, Harrill, Jones, Kernell, Lawson, McAfee, Miller, Moody, Murphy, Murray, Nance, Pruitt, Robinson (Davidson), Robinson (Hamilton), Stallings, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Webb, West, Wix, Wood, Work and Yelton--38.

Mr. Gafford moved to amend as follows:

**AMENDMENT NO. 2**

Amend Senate Bill No. 1629 by adding the following language as a new section immediately preceding the effective date section and by appropriately renumbering the effective date section:

SECTION \_\_\_\_\_. In addition to the other projects included in the March 25, 1986 Transportation Improvement Plan, there shall be included a highway from Columbia, Tennessee, in Maury County to the intersection of Law Road and Interstate 40 at Exit 140 in Henderson County, said highway to provide access through the counties of Maury, Lewis, Perry, Decatur, and Henderson among others and to the cities of Hohenwald, Linden, Persons, and Lexington among others.

On motion, the amendment was adopted.

Mr. Davis (Gibson) moved to amend as follows:

**AMENDMENT NO. 3**

Amend Senate Bill No. 1629 by deleting the provision:

1. Interstate 155 Extension from the south end of the Dyersburg Bypass near SR-412 (U.S. 20) to I-40 near Jackson

and substituting the provision:

1. Interstate 155 Extension on a route to be determined by the Commissioner of Transportation after public hearings and feasibility studies through either Dyer, Gibson and Madison counties or through Dyer, Crockett and Madison counties.

Mr. Brewer moved that Amendment No. 3 be tabled, which motion failed by the following vote:



**WEDNESDAY, APRIL 9, 1986--88th LEGISLATIVE DAY**

Ayes . . . . .	37
Noes . . . . .	40
Present and not voting . . . . .	13

Representatives voting aye were: Bewley, Bragg, Brewer, Buck, Burnett, Clark (Davidson), Clark (Sumner), Collier, Davidson, Dills, Frensley, Gaia, Gill, Harrill, Jared, Kent, King, Kisber, Love, May, McCroskey, McNally, Montgomery, Moore, Nance, Peroulas, Rhinehart, Severance, Shirley, Stafford, Swann, Tankersley, Ussery, Webb, Whitson, Williams and Work--37.

Representatives voting no were: Bell, Bivens, Byrd, Cobb, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davis (Gibson), Davis (Knox), DeBerry, DePriest, Duer, Gafford, Garrett, Hassell, Hawkins, Henry, Hobbs, Hurley, Huskey, Lawson, McAfee, Miller, Moody, Murray, Patterson, Phillips, Pruitt, Robinson (Hamilton), Stallings, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), West, Winningham and Yelton--40.

Representatives present and not voting were: Chiles, Drew, Ellis, Hillis, Ivy, Naifeh, Napier, Ridgeway, Robinson (Washington), Tanner, Wix, Wolfe and Wood--13.

Thereupon, Amendment No. 3 was adopted by the following vote:

Ayes . . . . .	47
Noes . . . . .	28
Present and not voting . . . . .	12

Representatives voting aye were: Bell, Bewley, Bivens, Byrd, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davis (Cocke), Davis (Gibson), Davis (Knox), DePriest, Duer, Gafford, Gaia, Garrett, Hassell, Hawkins, Henry, Hobbs, Hurley, Huskey, Jones, Kent, Lawson, McAfee, Miller, Moody, Murray, Patterson, Pruitt, Robinson (Davidson), Shirley, Stallings, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Webb, West, Winningham and Yelton--47.

Representatives voting no were: Buck, Davidson, DeBerry, Dills, Drew, Frensley, Gill, Harrill, Hillis, Jared, King, Kisber, McCroskey, McNally, Moore, Peroulas, Rhinehart, Robinson (Washington), Scruggs, Severance, Stafford, Swann, Tankersley, Ussery, Wheeler, Williams, Wood and Work--28.

Representatives present and not voting were: Chiles, Ellis, Ivy, Montgomery, Naifeh, Nance, Napier, Ridgeway, Robinson (Hamilton), Tanner, Wix and Wolfe--12.

Mr. Rhinehart moved the previous question, which motion failed by the following vote:

**WEDNESDAY, APRIL 9, 1986--88th LEGISLATIVE DAY**

Ayes . . . . .	60
Noes . . . . .	33
Present and not voting . . . . .	1

Representatives voting aye were: Bewley, Bragg, Buck, Burnett, Byrd, Clark (Davidson), Clark (Sumner), Cobb, Collier, Davidson, Davis (Cocke), Davis (Gibson), Dills, Drew, Duer, Frensley, Gafford, Gaia, Garrett, Hawkins, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Kent, King, Kisber, May, McAfee, McCroskey, McNally, Montgomery, Moore, Naifeh, Nance, Napier, Patterson, Peroulas, Phillips, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Swann, Tankersley, Ussery, Webb, West, Whitson, Williams, Winningham, Wolfe, Wood and Work--60

Representatives voting no were: Bell, Bivens, Chiles, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davis (Knox), DeBerry, DePriest, Ellis, Gill, Harrill, Hassell, Jones, Kernell, Lawson, Love, Miller, Murphy, Murray, Pruitt, Stallings, Starnes, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), West, Wix and Yelton--33.

Representative present and not voting was: Robinson (Hamilton) --1.

Mr. Dixon moved to amend as follows:

**AMENDMENT NO. 4**

Amend Senate Bill No. 1629 by adding the following new section immediately preceding the last section and by renumbering the subsequent sections accordingly:

SECTION \_\_\_\_ . The provisions of this act shall not increase the tax rate on diesel fuel, notwithstanding any provisions of this act to the contrary.

Mr. Brewer moved that Amendment No. 4 be tabled, which motion prevailed by the following vote:

Ayes . . . . .	56
Noes . . . . .	36
Present and not voting . . . . .	1

Representatives voting aye were: Bewley, Bragg, Brewer, Buck, Burnett, Byrd, Clark (Davidson), Clark (Sumner), Cobb, Collier, Davidson, Davis (Cocke), Davis (Gibson), Duer, Frensley, Gaia, Garrett, Gill, Harrill, Hawkins, Henry, Hillis, Hobbs, Huskey, Ivy, Jared, Kent, Kisber, Love, May, McCroskey, McNally, Miller, Montgomery, Napier, Patterson, Peroulas, Phillips, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Starnes, Swann, Tankersley, Webb, Wheeler, Whitson, Winningham, Wolfe, Wood and Work--56.

**WEDNESDAY, APRIL 9, 1986--88th LEGISLATIVE DAY**

Representatives voting no were: Bell, Bivens, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davis (Knox), DeBerry, DePriest, Dixon, Drew, Ellis, Gafford, Hassell, Hurley, Jones, Kernell, King, Lawson, Moody, Moore, Murphy, Murray, Naifeh, Pruitt, Stallings, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), West, Williams, Wix and Yelton--36.

Representative present and not voting was: Nance--1.

Mr. Bivens moved that Senate Bill No. 1629 be re-referred to the committee on Calendar and Rules.

Mr. Brewer moved that the motion be tabled, which motion prevailed by the following vote:

Ayes . . . . .	59
Noes . . . . .	37
Present and not voting . . . . .	1

Representatives voting aye were: Bragg, Brewer, Buck, Burnett, Byrd, Clark (Davidson), Clark (Sumner), Cobb, Collier, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), Dills, Drew, Duer, Frensley, Gafford, Gaia, Garrett, Hawkins, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Kent, King, Kisber, May, McCroskey, McNally, Montgomery, Moore, Naifeh, Nance, Napier, Patterson, Peroulas, Phillips, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Washington), Scruggs, Severance, Stafford, Swann, Tankersley, Ussery, Webb, Wheeler, Whitson, Williams, Winningham, Wolfe, Work--59.

Representatives voting no were: Bell, Bewley, Bivens, Chiles, Copeland, Covington, Crain, Cross, Curlee, Darnell, DeBerry, Dixon, Ellis, Gill, Harrill, Hassell, Jones, Kernell, Lawson, McAfee, Miller, Moody, Murphy, Murray, Pruitt, Robinson (Hamilton), Shirley, Stallings, Starnes, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), West, Wix, Wood and Yelton--37.

Representative present and not voting was: Love--1.

Mr. Henry moved the previous question, which motion failed by the following vote;

Ayes . . . . .	58
Noes . . . . .	34

Representatives voting aye were: Bell, Bewley, Bragg, Brewer, Buck, Burnett, Byrd, Clark (Sumner), Cobb, Collier, Covington, Davidson, Davis (Cocke), Davis (Gibson), Dills, Drew, Frensley, Gafford, Gaia, Garrett, Harrill, Hassell, Hawkins, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Kent, King, Kisber, Love, May, McCroskey, McNally, Montgomery, Naifeh, Napier, Patterson, Peroulas, Phillips, Ridgeway, Robinson (Davidson), Robinson (Washington), Scruggs, Severance, Shirley, Swann, Tankersley, Ussery, Webb, Wheeler, Whitson, Williams, Winningham, Wolfe, Work--58.

Representatives voting no were: Bivens, Chiles, Clark (Davidson), Copeland, Crain, Cross, Curlee, Darnell, Davis (Knox), DeBerry, DePriest, Dixon, Ellis, Gill, Jones, Kernell, Lawson, Miller, Moody, Moore, Murphy, Murray, Nance, Pruitt, Robinson (Hamilton), Stallings, Starnes, Tanner, Turner (Hamilton), Turner, C. (Shelby), West, Wix, Wood and Yelton--34.

RECESS

Mr. Copeland moved that the House stand in recess for 5 minutes to allow the Committee on Calendar and Rules to meet and set a time limit on debate on Senate Bill No. 1629, which motion prevailed.

The recess having expired, the House was called to order by Mr. Speaker McWherter.

On motion, the roll call was dispensed with.

Mr. Gill reported that debate on Senate Bill No. 1629 would be limited to one minute per person, and total debate time to 15 minutes.

Ms. DeBerry moved to amend as follows:

AMENDMENT NO. 5

Amend Senate Bill No. 1629 by deleting the Amendatory Language placed in the bill by House Amendment No. 1.

Mr. Burnett moved that Amendment No. 5 be tabled, which motion prevailed by the following vote:

Ayes . . . . .	58
Noes . . . . .	32

Representatives voting aye were: Bell, Brewer, Bragg, Buck, Burnett, Byrd, Clark (Davidson), Clark (Sumner), Cobb, Collier, Davidson, Davis (Cocke), Davis (Gibson), Dills, Duer, Frensley, Gafford, Gaia, Garrett, Hassell, Hawkins, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Kent, King, Kisber, May, McCroskey, McNally, Montgomery, Moore, Nafieh, Napier, Patterson, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Washington), Scruggs, Severance, Stafford, Swann, Tankersley, Ussery, Webb, Wheeler, Whitson, Williams, Winningham, Wolfe and Work--58.

Representatives voting no were: Bewley, Bivens, Chiles, Copeland, Covington, Crain, Cross, Curlee, Davis (Knox), DeBerry, Dixon, Ellis, Jones, Kernell, Lawson, McAfee, Miller, Murphy, Murray, Nance, Robinson (Hamilton), Shirley, Stallings, Starnes, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), West, Wix, Wood and Yelton--32.

Thereupon, Senate Bill No. 1629, as amended, passed its third and final consideration by the following vote:

**WEDNESDAY, APRIL 9, 1986--88th LEGISLATIVE DAY**

Ayes . . . . . 57  
Noes . . . . . 39

Representatives voting aye were: Bragg, Brewer, Buck, Burnett, Byrd, Clark (Davidson), Clark (Sumner), Cobb, Collier, Davidson, Davis (Cocke), Davis (Gibson), Dills, Drew, Duer, Frensley, Gafford, Gaia, Garrett, Hawkins, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Kent, King, Kisber, May, McCroskey, McNally, Montgomery, Moody, Moore, Naifeh, Napier, Patterson, Peroulas, Phillips, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Washington), Scruggs, Severance, Stafford, Swann, Tankersley, Ussery, Wheeler, Whitson, Williams, Winningham, Wolfe and Work--57.

Representatives voting no were: Bell, Bewley, Bivens, Chiles, Covington, Crain, Cross, Curlee, Darnell, Davis (Knox), DeBerry, Dixon, Ellis, Gill, Harrill, Hassell, Jones, Kernell, Love, McAfee, Miller, Murphy, Murray, Nance, Pruitt, Robinson (Hamilton), Shirley, Stallings, Starnes, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Webb, West, Wix, Wood, Yelton and Mr. Speaker McWherter--39.

A motion to reconsider was tabled.

Mr. Speaker McWherter relinquished the Chair to Mr. Bivens, Speaker pro tem.

House Bill No. 1181--To increase compensation, county officers.

Mr. Murphy moved that House Bill No. 1181 be passed on third and final consideration.

Mr. Bragg moved to amend as follows:

**AMENDMENT NO. 1**

Amend House Bill No. 1181 by deleting the first sentence of the amendatory language of Sections 1 and 2 and by substituting instead the following:

The compensation for each officer provided herein shall be raised, effective September 1, 1986, to an amount greater than the compensation provided on September 1, 1985 which is the lesser of:

(1) an amount equal to five percent (5%); or

(2) an amount equal to the percentage increase in general state employees' compensation, including salary, longevity payments or other employee benefits pursuant to the general appropriations act enacted in 1986.

On motion, the amendment was adopted.

Mr. Wix moved to amend as follows:

AMENDMENT NO. 2

Amend House Bill No. 1181 by adding before the effective date section the following new section and by renumbering the effective date section accordingly:

SECTION \_\_\_\_ . Tennessee Code Annotated, Section 8-24-102 (b), is amended by deleting from the second sentence the word "may" and by substituting instead the word "shall".

On motion, the amendment was adopted.

Mr. Murphy moved to amend as follows:

AMENDMENT NO. 3

Amend House Bill No. 1181 by adding the following at the end of the amendatory language of Section 2:

Notwithstanding any provision of law or this act to the contrary, the annual minimum salary to be paid to any officer or official in counties of the third, fourth, fifth, sixth, seventh and eighth class as defined in Tennessee Code Annotated, Section 8-24-101 pursuant to this section shall be no less than eighty percent (80%) of the comparable maximum annual salary to be paid to such officer or official pursuant to Tennessee Code Annotated, Section 88-24-102.

On motion, the amendment was adopted.

Thereupon, House Bill No. 1181, as amended, passed its third and final consideration by the following vote:

Ayes . . . . .	93
Noes . . . . .	2

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Drew, Ellis, Frensley, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Hawkins, Henry, Hobbs, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore, Murphy, Murray, Naifeh, Nance, Napier, Patterson, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--93.

**WEDNESDAY, APRIL 9, 1986--88th LEGISLATIVE DAY**

Representatives voting no were: Hurley and Lawson--2.

A motion to reconsider was tabled.

**FURTHER CONSIDERATION OF SENATE BILL NO. 1773**

Senate Bill No. 1773--To provide service credit, certain local government employees, retirement.

Mr. Cross moved that Senate Bill No. 1773 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes . . . . .	88
Noes . . . . .	0
Present and not voting . . . . .	3

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Clark (Davidson), Clark (Sumner), Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dills, Dixon, Duer, Ellis, Frensley, Gafford, Garrett, Hassell, Hawkins, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore, Murray, Naifeh, Nance, Napier, Patterson, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--88.

Representatives present and not voting were: Chiles, Cobb and Harrill--3.

A motion to reconsider was tabled.

House Joint Resolution No. 620--Relative to continuing funding, Land Between the Lakes.

Mr. Ridgeway moved that House Joint Resolution No. 620 be adopted, which motion prevailed by the following vote:

Ayes . . . . .	94
Noes . . . . .	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Clark (Davidson), Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dills, Dixon, Duer, Ellis, Frensley, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Hawkins, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore, Murphy, Murray, Naifeh, Nance,

**WEDNESDAY, APRIL 9, 1986--88th LEGISLATIVE DAY**

Napier, Patterson, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--94.

A motion to reconsider was tabled.

House Bill No. 812--To authorize sale, interest bearing bonds, state institutions.

Mr. Bragg moved that House Bill No. 812 be passed on third and final consideration.

Mr. Bragg moved to amend as follows:

**AMENDMENT NO. 1**

Amend House Bill No. 812 by deleting the words and figures "one hundred million dollars (\$100,000,000.00)" in Section 1 and by substituting instead the words and figures "thirteen million five hundred thousand dollars (\$13,500,000.00)".

AND FURTHER AMEND by deleting Section 4 in its entirety and by substituting instead the following:

Section 4. The proceeds of any and all issues of bonds herein authorized shall be allocated for the purposes and the amounts hereinafter specified:

1. Two million dollars (\$2,000,000.00) to the department of finance and administration to be allocated and expended for the purpose of acquisition of land and equipment, the erection, construction and equipment of sites and building, and the expansion, improvement and betterments of existing structures and sites;

2. Six million dollars (\$6,000,000.00) to the department of education to be allocated and expended for the purpose of acquisition of land and equipment, the erection, construction and equipment of sites and buildings, and the expansion, improvement and betterments of existing structures and sites; and

3. Five million five hundred thousand dollars (\$5,500,000.00) to the department of correction to be allocated and expended for correction purposes, expressly including the acquisition of land and equipment, the erection, construction, and equipment of sites and buildings, and the expansion, improvement and betterments of existing structures and sites.



**WEDNESDAY, APRIL 9, 1986--88th LEGISLATIVE DAY**

On motion, the amendment was adopted.

Thereupon, House Bill No. 812, as amended, passed its third and final consideration by the following vote:

Ayes . . . . .	97
Noes . . . . .	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Drew, Duer, Ellis, Frensley, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Hawkins, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Murphy, Murray, Naifeh, Nance, Napier, Patterson, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--97.

A motion to reconsider was tabled.

Mr. Bragg moved that House Bill No. 226 be re-referred to the Committee on Calendar and Rules, which motion prevailed.

House Joint Resolution No. 471--Relative to study, agriculture.

Mr. Stallings moved that House Joint Resolution No. 471 be adopted.

Ms. DeBerry moved to amend as follows:

**AMENDMENT NO. 1**

Amend House Joint Resolution No. 471 by deleting the word and figure "four (4)" in the first resolving clause, and by substituting instead the word and figure "three (3)".

On motion, the amendment was adopted.

Thereupon, House Joint Resolution No. 471, as amended, was adopted by the following vote:

Ayes . . . . .	95
Noes . . . . .	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis

**WEDNESDAY, APRIL 9, 1986--88th LEGISLATIVE DAY**

(Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Drew, Duer, Ellis, Frensley, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Hawkins, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Murphy, Murray, Naifeh, Nance, Napier, Patterson, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--95.

A motion to reconsider was tabled.

House Resolution No. 104--Relative to study, regulation of financial planning industry.

Mr. May moved that House Resolution No. 104 be adopted.

Ms. DeBerry moved to amend as follows:

**AMENDMENT NO. 1**

Amend House Resolution No. 104 by deleting the word and figure "five (5)" in the first resolving clause, and by substituting instead the word and figure "three (3)".

Mr. Stafford moved that Amendment No. 1 be tabled, which motion failed by the following vote:

Ayes . . . . .	28
Noes . . . . .	58
Present and not voting . . . . .	1

Representatives voting aye were: Chiles, Clark (Davidson), Clark (Sumner), Davis (Cocke), Davis (Knox), Drew, Ellis, Gafford, Hassell, Hawkins, Henry, Hurley, Ivy, Kent, Lawson, McAfee, Peroulas, Scruggs, Severance, Stafford, Swann, Tankersley, Ussery, Webb, Whitson, Williams, Wolfe and Wood--28.

Representatives voting no were: Bell, Bewley, Bivens, Bragg, Brewer, Burnett, Collier, Copeland, Covington, Cross, Curlee, Darnell, Davidson, Davis (Gibson), DeBerry, DePriest, Dixon, Gaia, Garrett, Gill, Harrill, Hillis, Hobbs, Huskey, Jared, Jones, King, Kisber, Love, May, McCroskey, Miller, Montgomery, Moody, Murphy, Murray, Naifeh, Nance, Napier, Patterson, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Washington), Shirley, Stallings, Starnes, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), West, Wheeler, Winningham, Work and Yelton--58.

Representative present and not voting was: Moore--1.

**WEDNESDAY, APRIL 9, 1986--88th LEGISLATIVE DAY**

Thereupon, on motion, Amendment No. 1 was adopted.

Thereupon, House Resolution No. 104, as amended, was adopted by the following vote:

Ayes . . . . .	92
Noes . . . . .	4

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Drew, Duer, Ellis, Frensley, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Hawkins, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moore, Murphy, Murray, Naifeh, Nance, Napier, Patterson, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stallings, Starnes, Swann, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wood, Work, Yelton and Mr. Speaker McWherter--92.

Representatives voting no were: Lawson, Moody, Stafford and Wolfe--4.

A motion to reconsider was tabled.

House Bill No. 1667--To regulate placement of certain prisoners.

On motion, House Bill No. 1667 was made to conform with Senate Bill No. 1780.

On motion, Senate Bill No. 1780, on same subject, was substituted for House Bill No. 1667.

Ms. Williams moved that Senate Bill No. 1780 be passed on third and final consideration.

Mr. Miller moved to amend as follows:

**AMENDMENT NO. 1**

Amend Senate Bill No. 1780 by adding the following language as a new section:

SECTION \_\_\_\_ . The provisions of this act shall not be construed to prohibit the continued operation of such facilities in existence prior to June 30, 1986.

On motion, the amendment was adopted.

Mr. Miller moved to amend as follows:

AMENDMENT NO. 2

Amend Senate Bill No. 1780 by inserting the following language in the second sentence of Section 1 between the word "persons" and the word "according":

and to continue having a population of not less than four hundred seventy thousand (470,000) nor more than four hundred eighty thousand (480,000).

On motion, the amendment was adopted.

Thereupon, Senate Bill No. 1780, as amended, passed its third and final consideration by the following vote:

Ayes . . . . .	88
Noes . . . . .	1

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Byrd, Clark (Sumner), Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Drew, Duer, Ellis, Frensley, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Hawkins, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Kent, King, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moore, Murray, Naifeh, Nance, Napier, Patterson, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--88.

Representative voting no was: Cobb--1.

A motion to reconsider was tabled.

House Joint Resolution No. 527--Relative to study, telephone services, hearing impaired.

Mr. McCroskey moved that House Joint Resolution No. 527 be adopted.

Ms. DeBerry moved to amend as follows:

AMENDMENT NO. 1

Amend House Joint Resolution 527 by deleting the word "four" wherever it appears in the first resolving clause, and by substituting instead the word and figure "three (3)".

On motion, the amendment was adopted.

## WEDNESDAY, APRIL 9, 1986--88th LEGISLATIVE DAY

Thereupon, House Joint Resolution No. 527, as amended, was adopted by the following vote:

Ayes . . . . .	87
Noes . . . . .	0

Representatives voting aye were: Bell, Bewley, Bivens, Byrd, Chiles, Clark (Sumner), Cobb, Collier, Copeland, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Duer, Frensley, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Hawkins, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moore, Murray, Naifeh, Nance, Napier, Patterson, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton and Mr. Speaker McWherter--87.

A motion to reconsider was tabled.

House Joint Resolution No. 653--Relative to study, telephone coverage of General Assembly.

Mr. Wood moved that House Joint Resolution No. 653 be adopted, which motion prevailed by the following vote:

Ayes . . . . .	90
Noes . . . . .	2

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Byrd, Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Drew, Duer, Frensley, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Hawkins, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moore, Murphy, Murray, Naifeh, Nance, Napier, Patterson, Peroulas, Phillips, Rhinehart, Ridgeway, Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--90.

Representatives voting no were: Chiles and Whitson--2.

A motion to reconsider was tabled.

House Joint Resolution No. 509--Relative to study, mental health facilities.

**WEDNESDAY, APRIL 9, 1986--88th LEGISLATIVE DAY**

Mr. Shirley moved that House Joint Resolution No. 509 be adopted.

Ms. DeBerry moved to amend as follows:

**AMENDMENT NO. 1**

Amend House Joint Resolution No. 509 by deleting from the first resolving clause the words and figures "five (5)" wherever they may appear and by substituting the word and figures "three (3)".

On motion, the amendment was adopted.

Thereupon, House Joint Resolution No. 509, as amended, was adopted by the following vote:

Ayes . . . . .	89
Noes . . . . .	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Byrd, Chiles, Clark (Sumner), Cobb, Collier, Covington, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Duer, Frensley, Gafford, Gaia, Garrett, Harrill, Hassell, Hawkins, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore, Murphy, Murray, Naifeh, Nance, Napier, Patterson, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--89.

A motion to reconsider was tabled.

House Joint Resolution No. 610--Relative to study, safety standards, operation of video display terminals.

Mr. Turner, L. (Shelby) moved that House Joint Resolution No. 610 be adopted.

Ms. DeBerry moved to amend as follows:

**AMENDMENT NO. 1**

Amend House Joint Resolution No. 610 by deleting from the first resolving clause the words and figures "five (5)" wherever they may appear and by substituting the word and figures "three (3)".

On motion, the amendment was adopted.

Thereupon, House Joint Resolution No. 610, as amended, was adopted by the following vote:

**WEDNESDAY, APRIL 9, 1986--88th LEGISLATIVE DAY**

Ayes . . . . . 86  
Noes . . . . . 0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Byrd, Chiles, Cobb, Collier, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Duer, Ellis, Frensley, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Hawkins, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, Kisber, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moore, Murphy, Murray, Nance, Napier, Patterson, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Wingham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--86.

A motion to reconsider was tabled.

Mr. Kernell moved that Senate Bill No. 2047 be placed on the Calendar for next week, which motion prevailed.

**MESSAGE FROM THE SENATE**

MR. SPEAKER: I am directed to return to the House, House Bill No.:

1694--To increase salaries, district attorneys general.

The Senate lifted the tabling motion; reconsidered passage of the bill; adopted Amendment No. 2; then repassed the bill on third and final consideration, as amended.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**HOUSE BILL ON SENATE AMENDMENT**

House Bill No. 1694--To increase salaries, district attorneys general.

**SENATE AMENDMENT NO. 2**

Amend House Bill No. 1694 by deleting in its entirety the present language of Section 1 and substituting instead the following:

Section 1. Chapter 7 of Title 8 of the Tennessee Code Annotated is amended by deleting the present language of subsection (c) of section 8-7-105 in its entirety and substituting instead the following:

(c) Except in the case of assistant district attorneys general who are no longer eligible for a step increase under

WEDNESDAY, APRIL 9, 1986--88th LEGISLATIVE DAY

the provisions of section 8-7-201, salaries of assistant district attorneys general computed under the provisions of section 8-7-201 shall be based on the salary provided by law for district attorneys general for the 1982-1983 fiscal year.

Mr. Rhinehart moved that the House concur in Senate Amendment No. 2, which motion prevailed by the following vote:

Ayes . . . . .	82
Noes . . . . .	3
Present and not voting . . . . .	1

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Byrd, Clark (Sumner), Cobb, Collier, Copeland, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dills, Dixon, Drew, Duer, Ellis, Frensley, Gaia, Garrett, Gill, Harrill, Hassell, Hawkins, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jones, Kent, Kernell, Kisber, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore, Murphy, Murray, Naifeh, Nance, Napier, Patterson, Peroulas, Phillips, Pruitt, Rhinehart, Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stallings, Swann, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton and Mr. Speaker McWherter--82.

Representatives voting no were: Crain, Gafford and Work--3.

Representative present and not voting was: Covington--1.

A motion to reconsider was tabled.

ENGROSSED BILLS

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bills Nos. 1232, 1938, 1949, 2056, 2057, 2060, 2061, 2064, 2068 and 2072; and House Joint Resolutions Nos. 491, 494, 585, 649, 652, 668, 670, 672, 676, 678, 679, 680, 683, 685, 686, 687, 689, 690, 691, 692, 694, 695 and 697; and find same correctly engrossed and ready for transmission to the Senate.

MARILYN EVELYN HAND,  
Chief Engrossing Clerk.

ENROLLED BILLS

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bills Nos. 820, 1251, 1255, 1266, 1341, 1435,



**WEDNESDAY, APRIL 9, 1986--88th LEGISLATIVE DAY**

1560, 1623, 1668, 1693, 1762, 1819, 1829, 1868, 2034, 2050, 2054 and 2055; House Resolutions Nos. 111, 137, 138, 139, 141, 142 and 143; and House Joint Resolutions Nos. 486, 567, 584, 594, 626, 629, 630, 631, 632, 661, 700 and 701; and find same correctly enrolled and ready for the signatures of the Speakers.

MARILYN EVELYN HAND,  
Chief Engrossing Clerk.

**SIGNED**

The Speaker announced that he had signed the following: House Bills Nos. 820, 1251, 1255, 1266, 1341, 1435, 1560, 1623, 1668, 1693, 1762, 1819, 1829, 1868, 2034, 2050, 2054 and 2055; House Joint Resolutions Nos. 486, 567, 584, 594, 626, 629, 630, 631, 632, 661, 700 and 701; and House Resolutions Nos. 111, 137, 138, 139, 141, 142 and 143.

**ENGROSSED BILLS**

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bills Nos. 1386, 1521, 1789 and 2075; and House Joint Resolutions Nos. 500, 596, 623, 638, 658, 662, 663, 681, 682, 688 and 693; and find same correctly engrossed and ready for transmission to the Senate.

MARILYN EVELYN HAND,  
Chief Engrossing Clerk.

**ENROLLED BILLS**

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bills Nos. 1200, 1444, 1445, 1744, 1888 and 2058; and House Resolution No. 102; and find same correctly enrolled and ready for the signatures of the Speakers.

MARILYN EVELYN HAND,  
Chief Engrossing Clerk.

**SIGNED**

The Speaker announced that he had signed the following: House Bills Nos. 1200, 1444, 1445, 1744, 1888 and 2058; and House Resolution No. 102.

**WEDNESDAY, APRIL 9, 1986--88th LEGISLATIVE DAY**

**ENGROSSED BILLS**

**MR. SPEAKER:**

Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bills Nos. 770, 821, 1702 and 1838; House Joint Resolutions Nos. 533 and 726; and find same correctly engrossed and ready for transmission to the Senate.

MARILYN EVELYN HAND,  
Chief Engrossing Clerk.

**MESSAGE FROM THE SENATE**

**MR. SPEAKER:** I am directed to return to the House, House Joint Resolution No.:

726--Relative to recess, House of Representatives; concurred in by the Senate.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

House Bill No. 2039--To amend Amusement Ride and Attraction Safety Insurance Act.

Mr. Davis (Cocke) moved that House Bill No. 2039 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes . . . . .	92
Noes . . . . .	3

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Sumner), Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Drew, Duer, Ellis, Frensley, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Hawkins, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore, Murphy, Murray, Naifeh, Nance, Napier, Patterson, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--92.

Representatives voting no were: Dills, Stafford and Turner, C. (Shelby)--3.

A motion to reconsider was tabled.

**WEDNESDAY, APRIL 9, 1986--88th LEGISLATIVE DAY**

Mr. Speaker McWherter resumed the Chair.

**RULES SUSPENDED**

Mr. Yelton moved that the rules be suspended for the introduction of House Joint Resolution No. 727, which motion prevailed.

**INTRODUCTION OF RESOLUTION**

House Joint Resolution No. 727--Relative to study rights of property owners adjacent to waste disposal sites--By Yelton, Bewley, Whitson, Bivens, Montgomery and Moody.

Mr. Yelton moved that House Joint Resolution No. 727 be adopted, which motion prevailed by the following vote:

Ayes . . . . .	94
Noes . . . . .	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Drew, Duer, Ellis, Frensley, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Hawkins, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore, Murphy, Murray, Naifeh, Nance, Napier, Patterson, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Work, Yelton and Mr. Speaker McWherter--94.

A motion to reconsider was tabled.

Mr. Yelton moved that House Bill No. 1776 be re-referred to the Committee on Calendar and Rules.

House Bill No. 998--To define rights of certain police officers.

Mr. Covington moved that House Bill No. 998 be passed on third and final consideration.

Mr. Murphy moved to amend as follows:

**AMENDMENT NO. 1**

Amend House Bill No. 998 by deleting the words:

"commissioner of the Tennessee department of safety, commander of the Tennessee highway patrol"

**WEDNESDAY, APRIL 9, 1986--88th LEGISLATIVE DAY**

from subsection (1) of SECTION 1, and by deleting the words

"including the Tennessee highway patrol"

and substituting in their place the following words:

"and shall not include any state department board, commission or other agency of state government"

in subsection (2) of SECTION 1.

On motion, the amendment was adopted.

Ms. Williams moved to amend as follows:

**AMENDMENT NO. 2**

Amend House Bill No. 998 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

Section \_\_\_\_\_. The provisions of this act shall not apply in any county having a population of not less than 700,000 nor more than 800,000 according to the 1980 federal census or any subsequent federal census.

On motion, the amendment was adopted.

Thereupon, House Bill No. 998, as amended, passed its third and final consideration by the following vote:

Ayes . . . . .	80
Noes . . . . .	8

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Byrd, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Drew, Duer, Ellis, Frensley, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Hawkins, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, Love, McAfee, McCroskey, McNally, Miller, Moody, Murphy, Murray, Naifeh, Napier, Patterson, Peroulas, Phillips, Pruitt, Rhinehart, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Stafford, Swann, Tankersley, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wood, Work, Yelton and Mr. Speaker McWherter--80.

Representatives voting no were: Buck, Crain, Kisber, Lawson, Montgomery, Scruggs, Stallings and Tanner--8.

A motion to reconsider was tabled.

## **WEDNESDAY, APRIL 9, 1986--88th LEGISLATIVE DAY**

Mr. Darnell moved that House Bill No. 1796 be re-referred to the Committee on Calendar and Rules, which motion prevailed.

Mr. Cobb moved that House Bill No. 1947 be placed on the next Calendar, which motion prevailed.

Mr. Starnes moved that House Bill No. 1811 be placed on the next calendar, which motion prevailed.

### **HOUSE BILL ON SENATE AMENDMENTS**

House Bill No. 628--To regulate municipal ordinances.

#### **SENATE AMENDMENT NO. 4**

Amend House Bill No. 628 by deleting SECTION 4 in its entirety and substituting in lieu thereof the following:

SECTION 4. In the event said offender refuses to sign said ordinance summons agreement to appear in court, then the municipal enforcement officer in whose presence the violation is committed may have a summons issued by the clerk of the municipal, metropolitan or city court or the municipal enforcement officer may seek the assistance of a police or peace officer to witness said violation who may issue a citation in lieu of arrest for said violation or make arrest for failure to sign said citation in lieu of arrest, as provided in Tennessee Code Annotated 7-63-104.

#### **SENATE AMENDMENT NO. 5**

Amend House Bill No. 628 by substituting the following for amendatory Section 2:

SECTION 2: Notwithstanding Tennessee Code Annotated Section 7-63-101, any municipal, metropolitan or city government may designate by ordinance or resolution certain municipal enforcement officers in the areas of sanitation, litter control, and animal control who may not arrest or issue citations in lieu of arrests pursuant to Tennessee Code Annotated Section 7-63-101 et seq., but who, upon witnessing a violation of any ordinance, law or regulation of said municipal, metropolitan or city government, may issue an ordinance summons, leaving a copy with said offender, showing the offense charged and the time and place when such offender is to appear in court.

Ms. Williams moved that the House concur in Senate Amendments Nos. 4 and 5, which motion prevailed by the following vote:

**WEDNESDAY, APRIL 9, 1986--88th LEGISLATIVE DAY**

Ayes . . . . .	93
Noes . . . . .	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dills, Dixon, Drew, Ellis, Frensley, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Hawkins, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, Kisber, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moore, Murphy, Murray, Naifeh, Nance, Napier, Patterson, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--93.

A motion to reconsider was tabled.

**FURTHER CONSIDERATION OF SENATE BILL NO. 1140**

Senate Bill No. 1140--To make provisions, anatomical gifts.

Mr. Murphy moved that the motion to reconsider Senate Bill No. 1140 be lifted from the table, which motion prevailed.

Mr. Murphy moved that the House reconsider its action in passing Senate Bill No. 1140 on third and final consideration, as amended, which motion prevailed.

Mr. Murphy moved to amend as follows:

**AMENDMENT NO. 2**

Amend Senate Bill No. 1140 by deleting from Section 2 the existing directing language and substituting in lieu thereof the following:

"Tennessee Code Annotate, Section 68-30-110, is amended by adding the following subsections:"

and further amend Section 2 by redesignating existing subsections (b), (c), (d), (e), (f), and (g) as subsections (c), (d), (e), (f), (g), and (h), respectively.

On motion, the amendment was adopted.

Thereupon, Senate Bill No. 1140, as amended, passed its third and final consideration by the following vote:

**WEDNESDAY, APRIL 9, 1986--88th LEGISLATIVE DAY**

Ayes . . . . . 90  
Noes . . . . . 0

Representatives voting aye were: Bell, Bewley, Bivens, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dills, Dixon, Drew, Duer, Ellis, Frensley, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Hawkins, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, Kisber, Love, May, McAfee, McCroskey, Miller, Montgomery, Moore, Murphy, Murray, Naifeh, Nance, Napier, Patterson, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--90.

A motion to reconsider was tabled.

**HOUSE BILL ON SENATE AMENDMENT**

House Bill No. 1172--To require proof of financial responsibility, certain traffic offenses.

**SENATE AMENDMENT NO. 1**

Amend House Bill No. 1172 by adding a new section between Sections 17 and 18, and renumbering Section 18 and subsequent sections accordingly, with the new Section 18 to read, as follows:

SECTION 18. Tennessee Code Annotated, Section 55-12-105 is amended in line six (6) by adding after the word and symbol "both," and before "revoke the license", the following:

and upon receiving notice of a claim filed against such owner, operator, or both,

AND FURTHER AMEND by adding a new section between Sections 20 and 21, as originally numbered, and renumbering the subsequent sections accordingly, with the new Section to read, as follows:

"Conviction" Defined. Convention includes a failure to satisfy a citation, a refusal to submit to a drug or alcohol test, or a forfeiture of bail or other security deposited to secure the defendant's appearance in court, which forfeiture has not been vacated.

AND FURTHER AMEND in Section 21, as originally numbered, by adding in line four (4), after the word "suspended" and before the word "license", the following:

or revoked

and by adding in line seven (7), after the word "homicide" and before the word "or", the following:

, failure to satisfy a citation

AND FURTHER AMEND in Section 22 (b), as originally numbered, by deleting the second sentence in its entirety and substituting instead, the following:

Any person who is unable to furnish proof of financial responsibility as of the time of such cancellation, suspension, or revocation and who does not surrender the suspended, cancelled or revoked license or registration within twenty (20) days from the date of such suspension, cancellation, or revocation shall pay to the department a fee of fifty (\$50.00) dollars prior to reinstatement of license or registration.

AND FURTHER AMEND by adding two (2) new Sections between Sections 25 and 26, as originally numbered, and renumbering the subsequent sections accordingly, with the new sections to read, as follows:

SECTION \_\_\_\_\_. Tennessee Code Annotated, Sections 55-12-104 (e), 55-12-109 (c), 55-12-114 (d), and 55-12-126 (d), are each amended by deleting the words and symbols "three (3)" and substituting instead, the following:

five (5)

SECTION \_\_\_\_\_. Tennessee Code Annotated, Sections 55-12-116 and 55-12-117, are each amended by deleting from paragraph two (2) the words and symbols "three (3)" and substituting instead, the following:

five (5)

AND FURTHER AMEND in Sections one (1), eleven (11), and twenty-one (21), as originally numbered, by correcting the word "homocide" to read "homicide".

AND FURTHER AMEND Section twenty six (26) by substituting language for the amendatory language, to read as follows:

The commissioner of safety, with each application or renewal notice for an operator's or chauffeur's license, shall include a brief summary of Tennessee's financial responsibility law and such summary shall contain the following or similar certification to be signed by the applicant: I CERTIFY THAT I UNDERSTAND ABOUT TENNESSEE'S FINANCIAL RESPONSIBILITY LAW AND I AGREE TO ABIDE BY IT.



Mr. Whitson moved that the House non-concur in Senate Amendment No. 1 to House Bill No. 1172, which motion prevailed.

**MESSAGE FROM THE SENATE**

**MR. SPEAKER:** I am directed to return to the House, House Bill No.:

1600--To make certain provisions, costs of work release program.

The Senate lifted the tabling motion; reconsidered passage of the bill; adopted Amendment No. 1, then repassed the bill on third and final consideration, as amended.

**CLYDE W. McCULLOUGH, JR.,**  
Chief Clerk.

**HOUSE BILL ON SENATE AMENDMENT**

House Bill No. 1600--To make certain provisions, cost of work release program.

**SENATE AMENDMENT NO. 1**

Amend House Bill No. 1600 by deleting from the first sentence of the amendatory language of Section 1 the words "or felony", being the language added by House Amendment No. 2.

Mr. McAfee moved that the House concur in Senate Amendment No. 1 to House Bill No. 1600, which motion prevailed by the following vote:

Ayes . . . . .	92
Noes . . . . .	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dills, Dixon, Drew, Duer, Ellis, Frensley, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Hawkins, Henry, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Murphy, Murray, Naifeh, Nance, Napier, Patterson, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--92.

A motion to reconsider was tabled.

HOUSE BILL ON SENATE AMENDMENT

House Bill No. 2053--To regulate Kenton Special School District.

SENATE AMENDMENT NO. 1

Amend House Bill No. 2053 by adding to the end of the amendatory language of Section 1 after the comma the following new language:

Thence with the Obion County line to the point of beginning.

Mr. Tanner moved that the House concur in Senate Amendment No. 1 to House Bill No. 2053, which motion prevailed by the following vote:

Ayes . . . . .	92
Noes . . . . .	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dills, Dixon, Drew, Duer, Ellis, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Hawkins, Henry, Hobbs, Hurley, Huskey, Ivy, Jared, Kent, Kernell, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore, Murphy, Murray, Naifeh, Nance, Napier, Patterson, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--92.

A motion to reconsider was tabled.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, Senate Bill No.:

1318--To expand duties, State Soil Conservation Committee.

The Senate nonconcurred in House Amendment No. 1.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

FURTHER CONSIDERATION OF AMENDED BILL

Senate Bill No. 1318--To expand duties, State Soil Conservation Committee.

## **WEDNESDAY, APRIL 9, 1986--88th LEGISLATIVE DAY**

Mr. Byrd moved that the House refuse to recede from its action in adopting Amendment No. 1 to Senate Bill No. 1318, which motion prevailed.

Mr. Naifeh moved that all Messages from the Senate on the Clerk's desk be placed on next Wednesday's Message Calendar, which motion prevailed.

Mr. Naifeh moved that the rules be suspended for introduction and consideration of the following congratulatory and memorializing resolutions: House Resolutions Nos. 144, 145, 146, 147, 148, 150 and 151; House Joint Resolutions Nos. 714, 715, 716, 718, 719, 720, 721, 722, 723, 724, 728, 729 and 730.

### **INTRODUCTION OF RESOLUTIONS**

House Resolution No. 144--Relative to honoring memory, Carlton L. Free--By Bragg and Mr. Speaker McWherter.

House Resolution No. 145--Relative to commending Jeffrey Henry --By Gill, Phillips and Kisber.

House Resolution No. 146--Relative to commending Alan Crone--By Gill, Phillips and Kisber.

House Resolution No. 147--Relative to commending Westwood High School--By Turner, L. (Shelby), Jones, Byrd, Turner, C. (Shelby), Kernell, Williams, Love, Hassell, DeBerry and Pruitt.

House Resolution No. 148--Relative to memory, Patsy C. Oliver--By Ridgeway and Mr. Speaker McWherter.

House Resolution No. 150--Relative to congratulating and honoring Shawn Malone--By Love.

House Resolution No. 151--Relative to honoring and congratulating Kenny Pulce--By Love.

House Joint Resolution No. 714--Relative to commending Mary Elizabeth Long--By Stallings, Davis (Gibson) and DePriest.

House Joint Resolution No. 715--Relative to honoring the memory, W.E. Michael--By Stafford and Harrill.

House Joint Resolution No. 716--Relative to honoring McGavock High School Band--By West, Covington, Clark (Sumner), Ellis, Murphy, Pruitt, Garrett, Cobb, Robinson (Davidson) and Love.

House Joint Resolution No. 718--Relative to memory, Mose Walker --By Dixon, King, DeBerry, Shirley, Nance, Hassell, Moore, Williams, Kent, Turner, L. (Shelby).

WEDNESDAY, APRIL 9, 1986--88th LEGISLATIVE DAY

House Joint Resolution No. 719--Relative to honoring Monsignor Dan S. Richardson--By Murphy.

House Joint Resolution No. 720--Relative to commending the Rotary Park--By West, Covington and Murphy.

House Joint Resolution No. 721--Relative to honoring Guy Edward Phipps--By Tanner.

House Joint Resolution No. 722--Relative to commending James "Doc" Simpson--By Miller, Drew, May, Severance, Hurley, Scruggs, Peroulas, Davis (Knox).

House Joint Resolution No. 723--Relative to commending Representative Don Dills--By Crain, Davis (Gibson), Stafford, Buck, Collier, Stallings, Tanner, Ivy, Ridgeway, Kisber and Mr. Speaker McWherter.

House Joint Resolution No. 724--Relative to commending Ken Compton--By Murray, Tanner and Shirley.

House Joint Resolution No. 728--Relative to welcoming Home-Crest Corporation--By Wheeler.

House Joint Resolution No. 729--Relative to commemorating Lester Demonstration School--By Dixon and Brewer.

House Joint Resolution No. 730--Relative to honoring Coach Dorris Armstrong--By Love.

Mr. Naifeh moved that House Resolutions Nos. 144, 145, 146, 147, 148, 150 and 151; and House Joint Resolutions Nos. 714, 715, 716, 718, 719, 720, 721, 722, 723, 724, 728, 729 and 730 be adopted, which motion prevailed.

A motion to reconsider was tabled.

Mr. Moore moved that Senate Bill No. 1449 be recalled from the Committee on Calendar and Rules which motion prevailed by the following vote:

Ayes . . . . .	81
Noes . . . . .	5
Present and not voting . . . . .	1

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Collier, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), Dixon, Drew, Duer, Frensley, Gafford, Gaia, Gill, Hassell, Hawkins, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Love, May, McAfee, McCroskey, McNally, Miller, Moore, Murphy, Murray, Naifeh, Nance, Napier, Patterson, Peroulas, Pruitt, Rhinehart, Ridgeway, Robinson

WEDNESDAY, APRIL 9, 1986--88th LEGISLATIVE DAY

(Washington), Scruggs, Severance, Shirley, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton and Mr. Speaker McWherter--81.

Representatives voting no were: DeBerry, Harrill, Moody, Stafford and Work--5.

Representative present and not voting was: Robinson (Hamilton) --1.

FURTHER CONSIDERATION OF SENATE BILL NO. 1449

Senate Bill No. 1449--to regulate possession, certain wildlife.

Mr. Clark (Sumner) moved that the House reconsider its action in adopting Amendment No. 2. which motion prevailed.

Mr. Clark (Sumner) moved that Amendment No. 2 be withdrawn, which motion prevailed.

Thereupon, Senate Bill No. 1449, as amended, passed its third and final consideration by the following vote:

Ayes . . . . .	90
Noes . . . . .	6

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Collier, Copeland, Covington, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), Dills, Dixon, Drew, Duer, Frensey, Gafford, Gaia, Gill, Hassell, Hawkins, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore, Murphy, Murray, Naifeh, Nance, Napier, Patterson, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Yelton and Mr. Speaker McWherter--90.

Representatives voting no were: Buck, Crain, DeBerry, Garrett, Harrill and Winningham--6.

A motion to reconsider was tabled.

**WEDNESDAY, APRIL 9, 1986--88th LEGISLATIVE DAY**

**HOUSE BILL ON SENATE AMENDMENT**

House Bill No. 1244--To continue department of labor.

**SENATE AMENDMENT NO. 1**

Amend House Bill No. 1244 by adding the following as a new section to be appropriately designated and by renumbering the subsequent sections accordingly:

Section \_\_\_\_\_. Tennessee Code Annotated, Section 50-3-106, is amended by adding the following as a new item to be appropriately designated:

( ) Each affected employee shall be notified by his employer and shall be given the opportunity to participate in negotiations on alleged violations of occupational safety and health standards.

**AMENDMENT NO. 1 TO SENATE AMENDMENT NO. 1**

Amend Senate Amendment No. 1 by deleting the language "Each" in the amendatory language of Amendment Number One.

**SENATE AMENDMENT NO. 2**

Amend House Bill No. 1244 by adding the following language as a new section to be appropriately numbered:

SECTION \_\_\_\_\_. Tennessee Code Annotated, Section 4-3-1403, is amended by adding the following as a new item to be appropriately designated:

( ) To collect and compile accurate listings of employers who do not comply with the provisions of Tennessee Code Annotated, Section 50-6-405;

**SENATE AMENDMENT NO. 3**

Amend House Bill No. 1244 by adding the following as a new section to be appropriately designated:

Section \_\_\_\_\_. Tennessee Code Annotated, Section 50-5-110, is amended by adding the following language as a new item to be appropriately designated:

( ) Make, keep, and preserve a file record of all places where minors may be employed.

AND FURTHER AMEND by adding the following as a new section to be appropriately designated:

**WEDNESDAY, APRIL 9, 1986--88th LEGISLATIVE DAY**

Section \_\_\_\_\_. Tennessee Code Annotated, Section 50-5-111, is amended by adding the following language as a new item to be appropriately designated:

( ) Furnish to the department records relative to the employment of minors.

**SENATE AMENDMENT NO. 4**

Amend House Bill No. 1244 by adding the following language as a new section to be appropriately designated:

SECTION \_\_\_\_\_. Tennessee Code Annotated, Section 4-3-1403, is amended by deleting item (2) in its entirety.

**SENATE AMENDMENT NO. 5**

Amend House Bill No. 1244 by adding the following language as a new section to be appropriately numbered:

SECTION \_\_\_\_\_. Tennessee Code Annotated, Section 4-32-101, is amended by adding the following language as a new subsection to be appropriately designated:

( ) The institute may promulgate reasonable fees pursuant to the provisions of Title 4, Chapter 5, for its educational programs. If revenues collected pursuant to this subsection are sufficient, then the institute's educational programs shall include the training of labor and management in communication skills and conflict resolution.

**SENATE AMENDMENT NO. 6**

Amend House Bill No. 1244 by adding the following as a new section to be appropriately numbered:

SECTION ( ). Tennessee Code Annotated, Section 4-32-103(a), is amended by adding the following as a new item to be appropriately numbered:

( ) One (1) representative appointed by the president of Tennessee State University.

**AMENDMENT NO. 1 TO SENATE AMENDMENT NO. 6**

Amend Amendment No. 1 by adding the following as a new section to be appropriately numbered:

SECTION \_\_\_\_\_. Tennessee Code Annotated, Section 4-32-103(a), is amended by adding the following as a new item to be appropriately numbered:

**WEDNESDAY, APRIL 9, 1986--88th LEGISLATIVE DAY**

( ) One (1) representative appointed by the president of the host institution.

**SENATE AMENDMENT NO. 7**

Amend House Bill No. 1244 by adding the following as a new section to immediately precede the effective date section:

SECTION \_\_\_\_ . Tennessee Code Annotated, Section 50-5-114, is amended by placing a period after the word "chapter" and by deleting the rest of the section in its entirety.

Mr. King moved that the House concur in Senate Amendments Nos. 1, as amended, 2, 3, 4, 5, 6, as amended, and 7, which motion prevailed by the following vote:

Ayes . . . . .	92
Noes . . . . .	0

Representatives voting aye were: Bell, Bewley, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dills, Dixon, Drew, Duer, Frensley, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Hawkins, Henry, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, May, McCroskey, McNally, Miller, Montgomery, Moody, Moore, Murray, Naifeh, Nance, Napier, Patterson, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--92.

A motion to reconsider was tabled.

Mr. Work moved that the rules be suspended for the purpose of considering Senate Joint Resolution No. 323 out of order, which motion prevailed.

Senate Joint Resolution No. 323--Relative to recognizing Public Education Promoter Day.

On motion, the rules were suspended for the immediate consideration of the resolution.

Mr. Work moved that Senate Joint Resolution No. 323 be concurred in, which motion prevailed by the following vote:



**WEDNESDAY, APRIL 9, 1986--88th LEGISLATIVE DAY**

Ayes . . . . . 93  
Noes . . . . . 0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dills, Dixon, Drew, Frensley, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Hawkins, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moore, Murphy, Murray, Naifeh, Nance, Napier, Patterson, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--93.

A motion to reconsider was tabled.

**NOTICE**

**MR. SPEAKER:**

I hereby give notice of my intention to move that the House rescind its action on HB 1442 at the next meeting of the Assembly.

**MIKE KERNELL**

**APPOINTMENT OF SELECT COMMITTEE**

Pursuant to House Joint Resolution No. 663--Relative to certain investigation by T.B.I., Mr. Speaker McWherter appointed the following House Members: Moore, Byrd and Kernell.

Mr. Brewer moved that the rules be suspended for the purpose of recalling House Joint Resolution No. 644 from the Committee on General Welfare, which motion prevailed by the following vote:

Ayes . . . . . 87  
Noes . . . . . 0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Clark (Davidson), Clark (Sumner), Cobb, Collier, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dills, Dixon, Duer, Frensley, Gafford, Gaia, Garrett, Gill, Hassell, Hawkins, Henry, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, McAfee, McCroskey, McNally, Miller, Montgomery, Moore, Murphy, Murray, Naifeh, Nance, Napier, Patterson, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Hamilton), Robinson

## WEDNESDAY, APRIL 9, 1986--88th LEGISLATIVE DAY

(Washington), Scruggs, Severance, Shirley, Stallings, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--87.

House Joint Resolution No. 644--Relative to declaring support, needs of mentally ill.

Mr. Brewer moved that House Joint Resolution No. 644 be adopted, which motion prevailed by the following vote:

Ayes . . . . .	88
Noes . . . . .	0
Present and not voting . . . . .	1

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Clark (Davidson), Clark (Sumner), Cobb, Collier, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dills, Duer, Frensley, Gafford, Gaia, Garrett, Gill, Hassell, Hawkins, Henry, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore, Murphy, Murray, Naifeh, Nance, Napier, Patterson, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Washington), Scruggs, Severance, Shirley, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--88.

Representative present and not voting was: Harrill--1.

A motion to reconsider was tabled.

### RULES SUSPENDED

Ms. Williams moved that the rules be suspended for the purpose of recalling House Bill No. 2047 from the Committee on Finance, Ways and Means to the House floor, for the next Calendar, which motion prevailed by the following vote:

Ayes . . . . .	81
Noes . . . . .	8
Present and not voting . . . . .	3

Representatives voting aye were: Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davis (Cocke), Davis (Gibson), Davis (Knox), Dixon, Drew, Duer, Ellis, Frensley, Gaia, Garrett, Harrill, Hassell, Hawkins, Henry, Hobbs, Hurley, Huskey, Ivy, Jones, Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moore, Murphy, Naifeh, Nance, Napier, Patterson, Peroulas, Phillips, Pruitt, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson

## **WEDNESDAY, APRIL 9, 1986--88th LEGISLATIVE DAY**

(Washington), Scruggs, Severance, Shirley, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, West, Williams, Winningham, Wix, Wolfe, Wood and Yelton--81.

Representatives voting no were: Dills, Gill, Jared, Moody, Murray, Rhinehart, Webb and Whitson--8.

Representatives present and not voting were: Davidson, DeBerry and Mr. Speaker McWherter--3.

### **BILL RECALLED**

On motion of Mr. Jared, Senate Bill No. 1686 was recalled from the Senate for further consideration.

### **BILLS WITHDRAWN**

On motion of Mr. Jared House Bill No. 258 was recalled from the Committee on Judiciary.

On motion of Mr. Jared, House Bill No. 258 was withdrawn from the House.

On motion of Mr. Jared, House Bill No. 487 was recalled from the Committee on Judiciary.

On motion of Mr. Jared, House Bill No. 487 was withdrawn from the House.

On motion of Mr. Jared, House Bill No. 703 was recalled from the Committee on Finance, Ways and Means.

On motion of Mr. Jared, House Bill No. 703 was withdrawn from the House.

On motion of Mr. Jared House Bill No. 1530 was recalled from the Committee on Calendar and Rules.

On motion of Mr. Jared, House Bill No. 1530 was withdrawn from the House.

On motion of Mr. Jared, House Bill No. 1708 was recalled from the Committee on Finance, Ways and Means.

On motion of Mr. Jared, House Bill No. 1708 was withdrawn from the House.

On motion of Mr. McCroskey, House Bill No. 1152 was recalled from the Committee on Calendar and Rules.

On motion of Mr. McCroskey, House Bill No. 1152 was withdrawn from the House.

## WEDNESDAY, APRIL 9, 1986--88th LEGISLATIVE DAY

### FURTHER CONSIDERATION OF HOUSE JOINT RESOLUTION NO. 492

House Joint Resolution No. 492--Relative to special study, transportation.

Mr. Bragg moved that the motion to reconsider House Joint Resolution No. 492 be lifted from the table, which motion prevailed.

Mr. Bragg moved that the House reconsider its action in adopting House Joint Resolution No. 492, which motion prevailed by the following vote:

Ayes . . . . .	80
Noes . . . . .	9
Present and not voting . . . . .	1

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Collier, Covington, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), Dills, Dixon, Drew, Ellis, Frensley, Gafford, Gaia, Garrett, Hassell, Hawkins, Henry, Hillis, Hobbs, Hurley, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Love, May, McAfee, McCroskey, McNally, Miller, Murphy, Murray, Naifeh, Nance, Napier, Patterson, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Swann, Tankersley, Turner (Hamilton), Turner, C. (Shelby), Ussery, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood and Yelton--80.

Representatives voting no were: Darnell, DeBerry, Duer, Lawson, Montgomery, Moody, Stallings, Tanner and Turner, L. (Shelby)--9.

Representative present and not voting was: Harrill--1.

On motion of Mr. Bragg, House Joint Resolution No. 492 was held on the Clerk's desk.

### RULES SUSPENDED

Mr. Crain moved that the rules be suspended for the purpose of recalling House Joint Resolution No. 643 from the Committee on State and Local Government which motion prevailed by the following vote:

Ayes . . . . .	81
Noes . . . . .	1
Present and not voting . . . . .	3

Representatives voting aye were: Bell, Bewley, Bivens, Brewer, Buck, Burnett, Byrd, Clark (Davidson), Clark (Sumner), Cobb, Collier, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), Dills, Dixon, Drew, Duer, Ellis, Frensley, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Hawkins,

**WEDNESDAY, APRIL 9, 1986--88th LEGISLATIVE DAY**

Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Kent, King, Kisber, Lawson, Love, McAfee, McCroskey, McNally, Miller, Murphy, Murray, Naifeh, Nance, Napier, Peroulas, Phillips, Pruitt, Rhinehart, Robinson (Davidson), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wolfe and Wood--81.

Representative voting no was: Montgomery--1.

Representatives present and not voting were: Bragg, DeBerry and Patterson--3.

House Joint Resolution No. 643--Relative to changing name of Ft. Pillow State Prison.

Mr. Crain moved that House Joint Resolution No. 643 be adopted.

Mr. Crain moved to amend as follows:

**AMENDMENT NO. 1**

Amend House Joint Resolution No. 643 by deleting in the first resolving clause the words "directed and authorized to change" and by substituting instead the words "requested to consider changing".

Mr. Crain moved that House Joint Resolution No. 643 be placed on the next Calendar which motion prevailed.

**RULES SUSPENDED**

Mr. Miller moved that the rules be suspended for the purpose of considering House Bill No. 1446, which motion prevailed.

House Bill No. 1446--To establish grievance procedure, certain Knox County employees.

Mr. Miller moved that House Bill No. 1446 be passed on third and final consideration.

Mr. Miller moved to amend as follows:

**AMENDMENT NO. 1**

Amend House Bill No. 1446 by deleting Section 2 in its entirety, and by substituting instead the following new sentence, renumbering subsequent sections accordingly:

**SECTION 2.** Chapter 326 of the Private Acts of 1970, as amended, is further amended by deleting the words and figures "ten (10) days" from the third sentence of the first paragraph of

**WEDNESDAY, APRIL 9, 1986--88th LEGISLATIVE DAY**

Section 17, and by substituting instead the words and figure "three (3) days".

SECTION 3. Chapter 326 of the Private Act of 1970, as amended, is further amended by adding the following language at the end of the first paragraph of Section 17:

A member of the classified service shall be authorized to file a grievance under the procedures established by the council pertaining to suspension of more than three (3) days.

On motion, the amendment was adopted.

Thereupon, House Bill No. 1446, as amended, passed its third and final consideration by the following vote:

Ayes . . . . .	93
Noes . . . . .	1

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Drew, Duer, Ellis, Frensey, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Hawkins, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Murphy, Murray, Naifeh, Nance, Napier, Patterson, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton and Mr. Speaker McWherter--93.

Representative voting no was: Work--1.

A motion to reconsider was tabled.

Mr. Napier moved that the rules be suspended for the purpose of considering Senate Joint Resolution No. 329 out of order, which motion prevailed.

Senate Joint Resolution No. 329--Relative to honoring Marshall Powell Ledbetter, Sr.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Mr. Napier, the resolution was concurred in.

A motion to reconsider was tabled.

MOTIONS

Mr. Davis (Knox) moved that House Resolution No. 132 be recalled from the Committee on Calendar and Rules, which motion failed by the following vote:

Ayes . . . . .	55
Noes . . . . .	14
Present and not voting . . . . .	13

Representatives voting aye were: Brewer, Byrd, Chiles, Clark (Sumner), Cobb, Collier, Copeland, Cross, Curlee, Darnell, Davis (Cocke), Davis (Knox), DeBerry, Duer, Frensley, Gafford, Gaia, Garrett, Harrill, Hassell, Hawkins, Henry, Hobbs, Hurley, Huskey, Ivy, Kent, Kernell, King, Lawson, May, McAfee, McCroskey, McNally, Miller, Moody, Murphy, Patterson, Peroulas, Pruitt, Ridgeway, Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Starnes, Swann, Turner, C. (Shelby), Ussery, West, Wheeler, Williams, Wolfe and Wood--55.

Representatives voting no were: Bivens, Dixon, Gill, Hillis, Jared, Murray, Naifeh, Napier, Robinson (Hamilton), Stallings, Tanner, Winningham, Wix and Work--14.

Representatives present and not voting were: Buck, Burnett, Crain, Davidson, Davis (Gibson), Dills, Ellis, Moore, Nance, Rhinehart, Turner (Hamilton), Turner, L. (Shelby) and Mr. Speaker McWherter--13.

Mr. Webb moved that the rules be suspended for the purpose of considering Senate Joint Resolution No. 333 out of order, which motion prevailed.

Senate Joint Resolution No. 333--Relative to commending Diane AcKaovy.

On motion, the rules were suspended for the immediate consideration of the resolution.

A motion to reconsider was tabled.

Mr. Webb moved that Senate Joint Resolution No. 333 be concurred in.

Mr. Webb moved to amend as follows:

AMENDMENT NO. 1

Amend Senate Joint Resolution 333 by deleting the first resolving clause in its entirety and substituting instead the following:

BE IT RESOLVED BY THE SENATE OF THE NINETY-FOURTH GENERAL ASSEMBLY OF THE STATE OF TENNESSEE, THE HOUSE

WEDNESDAY, APRIL 9, 1986--88th LEGISLATIVE DAY

OF REPRESENTATIVES CONCURRING, That we hereby commend Dianne AcKaouy on her outstanding performance as a legislative intern for Senator Ray Albright and wish her all the best in her future endeavors.

On motion, the amendment was adopted.

Mr. Webb moved that Senate Joint Resolution No. 333 as amended, be concurred in, which motion prevailed.

A motion to reconsider was tabled.

Ms. Robinson (Washington) moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 725 out of order, which motion prevailed.

House Joint Resolution No. 725--Relative to adoption, official State Motto--By Robinson (Washington) and Montgomery.

On motion, the rules were suspended for the immediate consideration of the resolution.

Mrs. Robinson (Washington) moved that House Joint Resolution No. 725 be adopted, which motion prevailed by the following vote:

Ayes . . . . .	91
Noes . . . . .	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dills, Dixon, Drew, Duer, Ellis, Frensley, Gafford, Gaia, Garrett, Gill, Harrill, Hawkins, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moore, Murphy, Murray, Naifeh, Nance, Napier, Patterson, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--91.

A motion to reconsider was tabled.

House Bill No. 2063--To regulate purchasing, Chattanooga Hamilton County Hospital Authority.

Mr. Starnes moved that House Bill No. 2063 be passed on third and final consideration, which motion prevailed by the following vote:



Ayes . . . . . 94  
Noes . . . . . 0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dills, Dixon, Drew, Duer, Ellis, Frensley, Gafford, Gaia, Garrett, Gill, Harrill, Hawkins, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore, Murphy, Murray, Naifeh, Nance, Napier, Patterson, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--94.

A motion to reconsider was tabled.

## STATEMENT REGARDING THE PROPOSED CHANGE IN

### RULE 77

The purpose of the proposed rule change is simply to bring the local legislation for counties and cities under a reasonable rule on the introduction of such legislation comparable to the rules applying to general bills and general bills with local application. The legislative delegation of the respective counties and cities will then have more time to assure its passage in the closing days of the General Assembly.

A cut-off rule on the introduction of legislation presently applies to the legislation of individual members of the General Assembly, to the legislation of the administration, constitutional offices, and other state offices and agencies, and to the legislation of the committees of the General Assembly. Therefore, it seems reasonable that the legislation of local government in local or private act form should also have a cut-off date in the regular session. Such legislation generally receives preferential treatment by prompt passage without referral to committees but the legislators sponsoring such legislation need a reasonable time to assure its passage in both houses, especially in the last week of a general assembly.

Admittedly a rule change would not effect the current session but, if incorporated in the rules of the next session, adequate notice to county and city governments could be given. The last weeks of the regular session would be more organized as it pertains to such local legislation. Neither counties, cities nor members would be penalized by such a rule. After all, the sessions of the General Assembly are held annually and local governments can prepare their legislative packages as readily to fit the rules as members, committees and the

## WEDNESDAY, APRIL 9, 1986--88th LEGISLATIVE DAY

governor. The counties and cities have attorneys to assist them as well as the Institute of Public Service of the University of Tennessee (i.e. the Municipal Technical Advisory Service and the County Technical Assistance Service). Local legislation prepared and introduced earlier in a session would reduce the need to suspend rules for immediate introduction and consideration of local bills during these last days of the session. The Committee on Delayed Bills has always acted responsibly in considering the late introduction of bills which are needed.

I would urge the members of this house to favorably consider such a rule change.

I request that this statement be spread upon the pages of the Journal.

Representative Brenda Turner

### MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No.:

892--To provide for restoration of voting rights, convicted felons.

The Senate refused to recede from its action in adopting Senate Amendments Nos. 2 and 3.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

### MOTION TO RECALL

Mr. Hurley moved that the rules be suspended for the purpose of recalling House Joint Resolution No. 542 from the Committee on General Welfare which motion failed by the following vote:

Ayes . . . . .	64
Noes . . . . .	8
Present and not voting . . . . .	12

Representatives voting aye were: Bewley, Brewer, Burnett, Byrd, Chiles, Clark (Sumner), Cobb, Collier, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), Duer, Ellis, Frensley, Gafford, Gaia, Harrill, Hawkins, Hillis, Hobbs, Hurley, Huskey, Ivy, Kent, Kernell, King, Lawson, May, McAfee, McCroskey, McNally, Moore, Nance, Napier, Peroulas, Pruitt, Ridgeway, Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Turner, C. (Shelby), Turner, L. (Shelby), Ussery, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood and Yelton--64.

## **WEDNESDAY, APRIL 9, 1986--88th LEGISLATIVE DAY**

Representatives voting no were: Bell, DeBerry, Dixon, Henry, Jared, Kisber, Murray and Naifeh--8.

Representatives present and not voting were: Bivens, Bragg, Buck, Dills, Ellis, Miller, Moody, Murphy, Patterson, Rhinehart, Turner (Hamilton) and Mr. Speaker McWherter--12.

### **FURTHER CONSIDERATION OF AMENDED BILL**

House Bill No. 892--To provide for restoration of voting rights, convicted felons.

Mr. Cobb moved that the House refuse to recede from its action in nonconcurring in Senate Amendments Nos. 2 and 3 to House Bill No. 892, which motion prevailed.

Mr. Cobb moved that the Speaker appoint a Conference Committee to meet with a like committree from the Senate to resolve the differences between the House and Senate on House Bill No. 892, which motion prevailed.

### **APPOINTMENT OF CONFERENCE COMMITTEE**

The Speaker appointed Representatives Cobb, Murphy and Williams as the Conference Committee on House Bill No. 892.

### **MESSAGE FROM THE SENATE**

MR. SPEAKER: I am directed to return to the House, Senate Bill No.:

1290--To regulate elections, registrars-at-large.

The Senate refused to recede from its action in nonconcurring in House Amendments Nos. 1, 6 and 7. The Speaker appointed an open Conference Committee composed of Senators Rochelle, Atchley and Davis to confer with a like committee from the House to resolve the differences of the two bodies.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

Mr. Burnett moved that the Speaker appoint a Conference Committee to meet with the Senate Committee to resolve the differences between the two bodies on Senate Bill No. 1290, which motion prevailed.

### **APPOINTMENT OF CONFERENCE COMMITTEE**

The Speaker appointed Representatives Burnett, Miller and Hawkins as the Conference Committee on Senate Bill No. 1290.

WEDNESDAY, APRIL 9, 1986--88th LEGISLATIVE DAY

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolutions Nos.

342--Relative to congratulating Dave Sortor;

346--Relative to congratulating Coach Gary Zimmerman and boys' basketball team; adopted for concurrence.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Bill No.:

1750--To allow education employees serve on State Board of Education; passed by the Senate.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

Mr. Gill moved that the rules be suspended for the purpose of considering Senate Joint Resolution No. 346 out of order, which motion prevailed.

Senate Joint Resolution No. 346--Relative to congratulating Coach Gary Zimmerman and boys' basketball team.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Mr. Gill, the resolution was concurred in.

A motion to reconsider was tabled.

RULES SUSPENDED

Mr. Brewer moved that the rules be suspended for the purpose of House Bill No. 1579 being recalled from the Clerks' Desk and placed on the next Calendar which motion prevailed by the following vote:

Ayes . . . . .	70
Noes . . . . .	13
Present and not voting . . . . .	5

Representatives voting aye were: Bivens, Bragg, Brewer, Buck, Burnett, Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Ellis, Frensley, Garrett, Hawkins, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones,

**WEDNESDAY, APRIL 9, 1986--88th LEGISLATIVE DAY**

Kent, Kernell, King, Kisber, May, McNally, Moody, Moore, Murphy, Murray, Naifeh, Napier, Patterson, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Scruggs, Severance, Shirley, Stafford, Stallings, Swann, Tankersley, Tanner, Turner, C. (Shelby), Turner, L. (Shelby), Ussery, West, Wheeler, Williams, Winningham, Wix, Wolfe and Work--70.

Representatives voting no were: Bewley, Byrd, Duer, Gafford, Gill, Harrill, Lawson, McAfee, McCroskey, Nance, Robinson (Washington), Webb and Wood--13.

Representatives present and not voting were: Drew, Miller, Turner, B. (Hamilton), Whitson and Mr. Speaker McWherter--5.

Ms. DeBerry moved that all bills be recalled from Committees and placed on the next calendar, which motion failed by the following vote:

Ayes . . . . .	10
Noes . . . . .	74
Present and not voting . . . . .	1

Representatives voting aye were: Davis (Knox), DeBerry, Duer, Gaia, Hurley, Nance, Robinson (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby) and Yelton--10.

Representatives voting no were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Byrd, Clark (Sumner), Cobb, Collier, Crain, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), DePriest, Dixon, Drew, Ellis, Frensley, Gafford, Garrett, Gill, Harrill, Hawkins, Henry, Hillis, Hobbs, Huskey, Ivy, Jared, Kernell, King, Kisber, Lawson, May, McAfee, McCroskey, McNally, Miller, Moody, Moore, Murphy, Murray, Naifeh, Napier, Patterson, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Swann, Tankersley, Tanner, Turner (Hamilton), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work and Mr. Speaker McWherter--74.

Representative present and not voting was: Covington--1.

**RULES SUSPENDED**

Mr. Speaker McWherter moved that the rules be suspended for the introduction and consideration of House Resolution No. 152, which motion prevailed.

House Resolution No. 152--Relative to electing nominating commission to T.B.I.--By Mr. Speaker McWherter.

Mr. Speaker McWherter moved that House Resolution No. 143 be adopted, which motion prevailed by the following vote:

# WEDNESDAY, APRIL 9, 1986--88th LEGISLATIVE DAY

Ayes . . . . . 95  
Noes . . . . . 0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Drew, Duer, Ellis, Frensley, Gafford, Gaia, Garrett, Gill, Harrill, Hawkins, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore, Murphy, Murray, Naifeh, Nance, Napier, Patterson, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--95.

A motion to reconsider was tabled.

## SECOND ROLL CALL

A roll call was taken with the following results:

Present . . . . . 98

Representatives present were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Drew, Duer, Ellis, Frensley, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Hawkins, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore, Murphy, Murray, Naifeh, Nance, Napier, Patterson, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--98.

## RESOLUTIONS LYING OVER

Senate Joint Resolution No. 319--Relative to sympathy, Dr. Amos Christie.

Senate Joint Resolution No. 321--Relative to honoring Cedar Bluff Intermediate School.

Senate Joint Resolution No. 322--Relative to sympathy, Joe Frank Hudgens.

## **WEDNESDAY, APRIL 9, 1986--88th LEGISLATIVE DAY**

Senate Joint Resolution No. 342--Relative to congratulating Dave Sartor.

Senate Joint Resolution No. 339--Relative to sympathy, Mr. L. T. Stewart.

Under the rules, Senate Joint Resolutions Nos. 319, 321, 322, 339 and 342 were referred to the Committee on Calendar and Rules.

### **SENATE BILLS ON FIRST CONSIDERATION**

Senate Bill No. 1601--To regulate titling, certain wrecked vehicles.

Passed first consideration.

Senate Bill No. 1942--To regulate use, telephone equipment.

Passed first consideration.

Senate Bill No. 2002--To regulate Kenton Special School District.

Passed first consideration.

Senate Bill No. 2042--To fix qualifications, chief administrative offices, certain county.

Passed first consideration.

### **HOUSE BILLS ON SECOND CONSIDERATION**

House Bill No. 2069--To regulate solid waste disposal Sumner County.

Passed second consideration and held without reference.

House Bill No. 2070--To set terms, Board of Highway Commissioners, Lake County.

Passed second consideration and held without reference.

House Bill No. 2071--To regulate water utility districts, certain counties.

Passed second consideration and held on the Clerk's desk.

House Bill No. 2073--To provide for fire fighting services, Bells.

Passed second consideration and held without reference.

House Bill No. 2076--To increase tax on lodgings, Dyersburg.

**WEDNESDAY, APRIL 9, 1986--88th LEGISLATIVE DAY**

Passed second consideration and held without reference.

**ENGROSSED BILLS**

**MR. SPEAKER:**

Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bills Nos. 812, 998, 1181, 1446, 2039 and 2063; and House Joint Resolutions Nos. 471, 509, 527, 610, 620, 644, 653, 714, 715, 716, 718, 719, 720, 721, 722, 723, 724, 725, 727, 728, 729 and 730; and find same correctly engrossed and ready for transmission to the Senate.

MARILYN EVELYN HAND,  
Chief Engrossing Clerk.

**MESSAGE FROM THE SENATE**

**MR. SPEAKER:** I am directed to return to the House, House Joint Resolutions Nos.:

510--Relative to study, medical insurance needs of retirees;

562--Relative to designating the Dr. R. S. Gass State Office Building;

595--Relative to directing study, unemployment insurance;

600--Relative to including minorities, various boards and commissions;

601--Relative to memory, William L. "Bill" Kieffer;

605--Relative to naming bridge to honor Leonard Joseph Kirkpatrick;

609--Relative to extending benefits, certain state employees;

627--Relative to honoring Gill Gideon;

635--Relative to designating May 4, 1986 as Ramp Festival Day;

636--Relative to honoring Mt. Juliet High School girls' basketball team;

637--Relative to honoring Ben Barker;

639--Relative to honoring Avon William Rollins, Sr.;

640--Relative to congratulating Frank Hughes High School girls' basketball team;

642--Relative to honoring Memphis State University Pompom Girls;



**WEDNESDAY, APRIL 9, 1986--88th LEGISLATIVE DAY**

645--Relative to honoring Oneida High School football team;

646--Relative to honoring Pickett County High School girls' basketball team;

647--Relative to honoring Sherelle Warren;

648--Relative to honoring James L. Rippey, Sr.

650--Relative to honoring Chuckey-Doak High School boys' basketball team;

651--Relative to honoring South Greene High School girls' basketball team;

654--Relative to honoring Hampton High School boys' basketball team;

655--Relative to honoring Sue Lee Talent;

656--Relative to honoring Unicoi High School boys' basketball team;

657--Relative to honoring Unicoi High School girls' basketball team;

659--Relative to honoring William B. Dunavant, Jr.;

664--Relative to honoring Baskerville Holmes;

665--Relative to honoring Andre Turner;

666--Relative to honoring Cleo Wrap; all concurred in by the Senate.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**MESSAGE FROM THE SENATE**

MR. SPEAKER: I am directed to return to the House, House Joint Resolutions Nos.:

671--Relative to honoring John Kimbrell;

673--Relative to congratulating Kathy Renee Rollow;

674--Relative to congratulating Rector E. Miller;

675--Relative to honoring Arthur Vincent Clancy, Jr.;

677--Relative to commending Jack Weatherford;

**WEDNESDAY, APRIL 9, 1986--88th LEGISLATIVE DAY**

- 684--Relative to honoring John H. (Jack) Morris;
- 696--Relative to congratulating Karen Sue Phillips;
- 698--Relative to expressing appreciation, Jack Houston Locke, Jr.;
- 699--Relative to congratulating Waylan Payne;
- 702--Relative to honoring Word of Faith Christian Center;
- 703--Relative to honoring Obion County High School girls' team;
- 704--Relative to honoring Obion County Central High School boys' basketball team;
- 705--Relative to honoring A. Keith McDonald;
- 706--Relative to congratulating Gail Cobb;
- 707--Relative to commending Greenback Lady Cherokees;
- 708--Relative to honoring Coach Thomas Watson, Celina High School;
- 709--Relative to honoring Celina High School boys' basketball team;
- 710--Relative to honoring Celina High School football team;
- 711--Relative to memory, former Mayor Tom Hall of Millington;
- 712--Relative to congratulating Oak Ridge High School girls' basketball team;
- 713-- Relative to congratulating LeMoyne-Owen College men's basketball team; all concurred in by the Senate.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**MESSAGE FROM THE SENATE**

MR. SPEAKER: I am directed to return to the House, House Bills Nos.:

- 1205--To make certain provisions, workers' compensation claims;
- 1335--To make provisions, Local Development Authority;
- 1481--To create Foreign Language Institute;
- 1678--To increase workers' compensation for burial expenses;

**WEDNESDAY, APRIL 9, 1986--88th LEGISLATIVE DAY**

1707--To create position of criminal investigator, certain districts;

1789--To regulate hauling by certain vehicles;

1797--To include certain persons within definition of state employee;

1848--To define certain duties, state board of education;

1898--To regulate commission on firefighting personnel standards;

1903--To amend Title 62, Chapter 5, Code;

1914--To alter boundaries, representative districts 9 and 36;

1959--To make certain provisions, consumer protection;

1985--To make certain provisions, cable television services;

2003--To amend Charter, Bristol;

2018--To regulate Cookeville General Hospital;

2049--To amend Charter, Manchester;

2051--To regulate garbage collection, Hamilton County;

2056--To provide for advisory referendum, Lexington;

2057--To establish building permit system, Obion County;

2060--To amend Charter, Trimble;

2061--To amend Charter, Clarksville;

2062--To establish Board of Road Commissioners, White County;

2064--To amend Charter, Clarksville;

2068--To amend Charter, Ridgely;

2072--To provide for filling of vacancies, Gibson County School Board; all substituted for Senate Bills on same subject and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**MESSAGE FROM THE SENATE**

MR. SPEAKER: I am directed to transmit to the House, Senate

**WEDNESDAY, APRIL 9, 1986--88th LEGISLATIVE DAY**

**Bills Nos.:**

1125--To regulate certain powers, Commissioner, Department of Transportation;

1149--To make certain provisions, trespassing;

1194--To provide certain reimbursements, county officials;

1480--To provide rate of growth, state tax revenues;

1481--To cancel amount of bonds, Pellissippi Parkway;

2068--To regulate seizure, stolen vehicles; all passed by the Senate.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**MESSAGE FROM THE SENATE**

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolutions Nos.:

297--Relative to certain attendance policies, special school employees;

310--Relative to treatment, mental illness, alcoholism and drug abuse;

327--Relative to honoring Volunteer State Community College;

330--Relative to commending John C. Neff;

331--Relative to congratulating Coach Billy Mooney and boys' basketball team;

332--Relative to sympathy, James William "Jimmy" Moore;

334--Relative to Remembrance, Victims, Holocaust;

335--Relative to congratulating Livingston Academy girls' basketball team;

336--Relative to readmitting Scott County;

337--Relative to congratulating Coach Mike Poe and boys' basketball team;

338--Relative to congratulating Coach Ricky Richards and girls' basketball team;

340--Relative to honoring Madison High School;

**WEDNESDAY, APRIL 9, 1986--88th LEGISLATIVE DAY**

341--Relative to honoring Goodlettsville High School; adopted for concurrence.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**MESSAGE FROM THE SENATE**

MR. SPEAKER: I am directed to return to the House, Senate Bill No.:

1413--To regulate licensing of contractors.

The Senate nonconcurred in House Amendments Nos. 1 and 2.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**MESSAGE FROM THE SENATE**

MR. SPEAKER: I am directed to return to the House, House Bills Nos.:

1372--To make certain provisions, department of conservation;

1847--To require certain notice, local boards of education; both substituted for Senate Bills on same subject, amended and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**MESSAGE FROM THE SENATE**

MR. SPEAKER: I am directed to return to the House, House Bill No.:

1413--To regulate licensing of contractors; substituted for Senate Bill on same subject, amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**MESSAGE FROM THE SENATE**

MR. SPEAKER: I am directed to return to the House, House Bill No.:

1940--To grant certain immunity, electric corporations; substituted for Senate Bill on same subject, amended and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**WEDNESDAY, APRIL 9, 1966--88th LEGISLATIVE DAY**

**MESSAGE FROM THE SENATE**

MR. SPEAKER: I am directed to return to the House, Senate Bill No.:

1735--To create statewide public guardianship program, elderly.

The Senate nonconcurred in House Amendment No. 1.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**MESSAGE FROM THE SENATE**

MR. SPEAKER: I am directed to return to the House, House Bill No.:

1258--To continue higher education commission.

The Senate lifted the tabling motion; reconsidered passage of the bill; reconsidered Adoption of Amendment No. 1; withdrew Amendment No. 1, then repassed the bill on third and final consideration.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**MESSAGE FROM THE SENATE**

MR. SPEAKER: I am directed to return to the House, House Bill No.:

1488--To regulate spacing of oil wells.

The Senate lifted the tabling motion; reconsidered passage of the bill; reconsidered adoption of Amendment No. 1; withdrew Amendment No. 1; then repassed the bill on third and final consideration.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**MESSAGE FROM THE SENATE**

MR. SPEAKER: I am directed to return to the House, Senate Bill No.:

1816--To provide appointment, Tennessee Association of Home Health.

The Senate nonconcurred in House Amendment No. 1.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**WEDNESDAY, APRIL 9, 1986--88th LEGISLATIVE DAY**

**BILL RECALLED**

On motion of Mr. Starnes House Bill No. 1962 was recalled from the Senate for further consideration.

**MESSAGE FROM THE SENATE**

MR. SPEAKER: I am directed to return to the House, House Bill No. 1962, as requested.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**MESSAGE FROM THE SENATE**

MR. SPEAKER: I am directed to return to the House, Senate Bill No.:

1756--To extend use, telephone network, certain students.

The Senate nonconcurred in House Amendment No. 1.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**SPONSORS ADDED**

Without objection, the rules were suspended to allow the following members to add their names as sponsors to the bills as indicated below, the prime sponsor of each having agreed to such addition:

House Bill No. 226--Henry, Burnett and Rhinehart

House Bill No. 482--Darnell

House Bill No. 821--Miller

House Bill No. 998--Hillis

House Bill No. 1385--Burnett and Rhinehart

House Bill No. 1463--Garrett and Dixon

House Bill No. 1521--Darnell and Drew

House Bill No. 1814--Miller

House Bill No. 1947--Turner (Hamilton)

House Bill No. 1949--Drew

**WEDNESDAY, APRIL 9, 1986--88th LEGISLATIVE DAY**

House Bill No. 2039--Darnell

House Joint Resolution No. 596--King

**LOCAL BILLS TRANSMITTED TO CALENDAR AND RULES**

In accordance with Rule No. 47, the following local bills, having received authorization for passage by the local legislative delegation, were transmitted to the Committee on Calendar and Rules: House Bills Nos. 2069, 2070, 2073, 2076 and 1975.

**REPORT OF COMMITTEE ON CALENDAR AND RULES**

**CONSENT CALENDAR**

MR. SPEAKER: The officers of your Committee on Calendar and Rules beg leave to report that we have met and set the following bills on the Consent Calendar for Wednesday, April 16, 1986: Senate Joint Resolutions Nos. 319, 321, 322, 339, 342; and House Bills Nos. 2069, 2070, 2073, 2076 and 1975.

GILL, Chairman.

On motion of Mr. Naifeh, pursuant to House Joint Resolution No. 726, the House adjourned until 11:00 a.m. Wednesday, April 16, 1986.